

PLANNING COMMITTEE REPORT



ISLINGTON

Development Management Service
Planning and Development Division
Environment and Regeneration
Department
Islington Town Hall
Upper Street
LONDON N1 2UD

PLANNING COMMITTEE		AGENDA ITEM NO:	B1
Date:	6 th February 2018	NON-EXEMPT	

Application number	P2017/2754/FUL
Application type	Full Planning Application
Ward	Hillrise
Listed building	None affected.
Conservation area	None affected.
Development Plan Context	No site allocations. Employment Growth Area.
Licensing Implications	None.
Site Address	202 - 210 Fairbridge Road, London N19 3HT
Proposal	Demolition of existing MOT garage (Use Class B2) and the erection of a 5 storey building to provide 2no. commercial units (Use Class B1/B8) at ground floor, 15 residential units above (4x1 beds, 11x2 beds, Use Class C3), with cycle parking, refuse storage, plant, landscaping, and associated engineering works.

Case Officer	Jan Slominski
Applicant	Dominvs Property Developments Ltd.
Agent	CgMs RPS

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission:

1. subject to the conditions set out in Appendix 1; and
2. conditional on the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1.

2. SITE PLAN

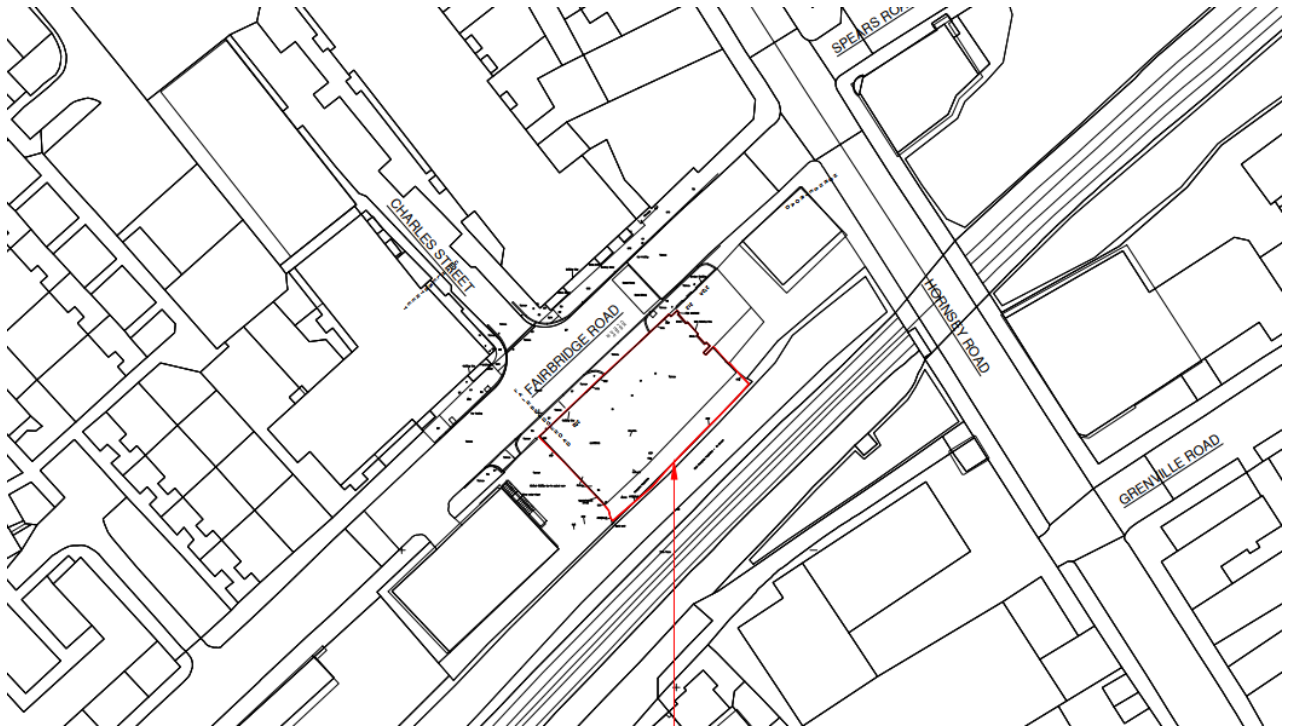


Fig 2.1 Site Plan. Application site outlined in red.

3. SUMMARY

- 3.1 The application site is a vacant MOT/vehicle repair garage (Use Class B2) on the south east side of Fairbridge Road, close to the junction with Hornsey Road. The site is within the Hornsey Road Employment Growth Area (EGA).
- 3.2 The proposed development would demolish the existing building (122sqm of employment floorspace), and would erect a new mixed use 4-5 storey building. There would be a 46% increase in employment floorspace to 178.5sqm at ground floor, 100% of which would be affordable units (by virtue of their sizes), suitable for light industrial (B1c) or storage, distribution and wholesale (B8) uses. On the upper floors there would be 15no. flats (4x 1-bedroom, 11x 2-bedroom), of which 5 (33%) would be affordable housing. The proposed units would be dual aspect and would provide good quality accommodation.
- 3.3 The impacts on neighbour amenity would be limited, and only 2 opposite neighbouring units would experience significant loss of daylight. However, those units would still

benefit from good sunlight levels, and the daylight reductions would be less than that which would occur if the development simply mirrored the building opposite.

- 3.4 The design of the building is considered high quality and contextual, and reflects the 4-5 storey scale of the adjacent buildings.
- 3.5 The proposed development would balance the EGA priority of an increase in (affordable) employment floorspace, with additional housing, and would comply with the Council's policies on transport, inclusive design and sustainability. The proposal would also comply with the development plan in other respects and is considered a sustainable form of development.
- 3.6 Approval is recommended subject to conditions, and a Section 106 agreement to secure the necessary mitigation.

4. SITE AND SURROUNDINGS

- 4.1 The application site is on the south east side of Fairbridge Road, close to the junction with Hornsey Road and opposite the junction with Charles Street.
- 4.2 There is a mix of uses in the surrounding area, including retail and other commercial uses along Hornsey Road (within the Hornsey Road North Local Shopping Area) to the North West.
- 4.3 202 - 210 Fairbridge Road is currently a vacant MOT garage (Use Class B2) arranged as a 122sqm double height (with mezzanine) building with painted brick and metal clad elevations.
- 4.4 On the opposite side of the road is a recently constructed 5 storey development by Family Mosaic, granted permission in 2011. On the south west side of the site is a 2 storey concrete building with a service yard, and on the north west side is a 4 storey building arranged as 2no. live/work units.
- 4.5 The site backs onto a railway line, and the railway embankment is a Borough Grade 1 Site of Importance for Nature Conservation (SINC).
- 4.6 The site is not affected by any formal heritage constraints.
- 4.7 The site is within the Hornsey Road Employment Growth Area (EGA).
- 4.8 The nearest town centres are Archway town centre at the south west end of Fairbridge Road (0.5km walking distance), Finsbury Park (1km walking distance) and Nags Head Town Centres (1.2km walking distance).
- 4.9 The site is within a Controlled Parking Zone. The nearest stations are Crouch Hill (0.7km walking distance), Upper Holloway (0.6km walking distance) and Archway Northern Line Underground Station (1km Walking Distance). The site's Public Transport Accessibility Level (PTAL) is 3 (moderate). Islington Council is the highways authority for both Fairbridge Road and Hornsey Road.

5. PHOTOS OF SITE AND SURROUNDINGS



Fig 5.1 3D Aerial view



Fig 5.2 Photograph of existing site



Fig 5.3 Photograph of existing site

6. PROPOSAL

- 6.1 The application is for full planning permission to demolish the existing building, and construct a 5 storey mixed use building. The new building would provide 2 business units (Use Class B1/B8) at ground floor and 15 residential units above (4x1 beds, 11x2 beds). There would be internal cycle parking, refuse storage and plant. No basement is proposed, but there would be a SUDS attenuation tank below ground level.
- 6.2 The proposal would be arranged as one building, with yellow brick elevations. There would be 4 full storeys with the top storey set-back from the front and side elevations to reflect the massing of the 5 storey building opposite. There would be a faceted concrete ground floor elevation, with three brick faced storeys above and a metal clad recessed top storey.
- 6.3 The following images show the proposed development.



Fig 6.1 Proposed Front Elevation

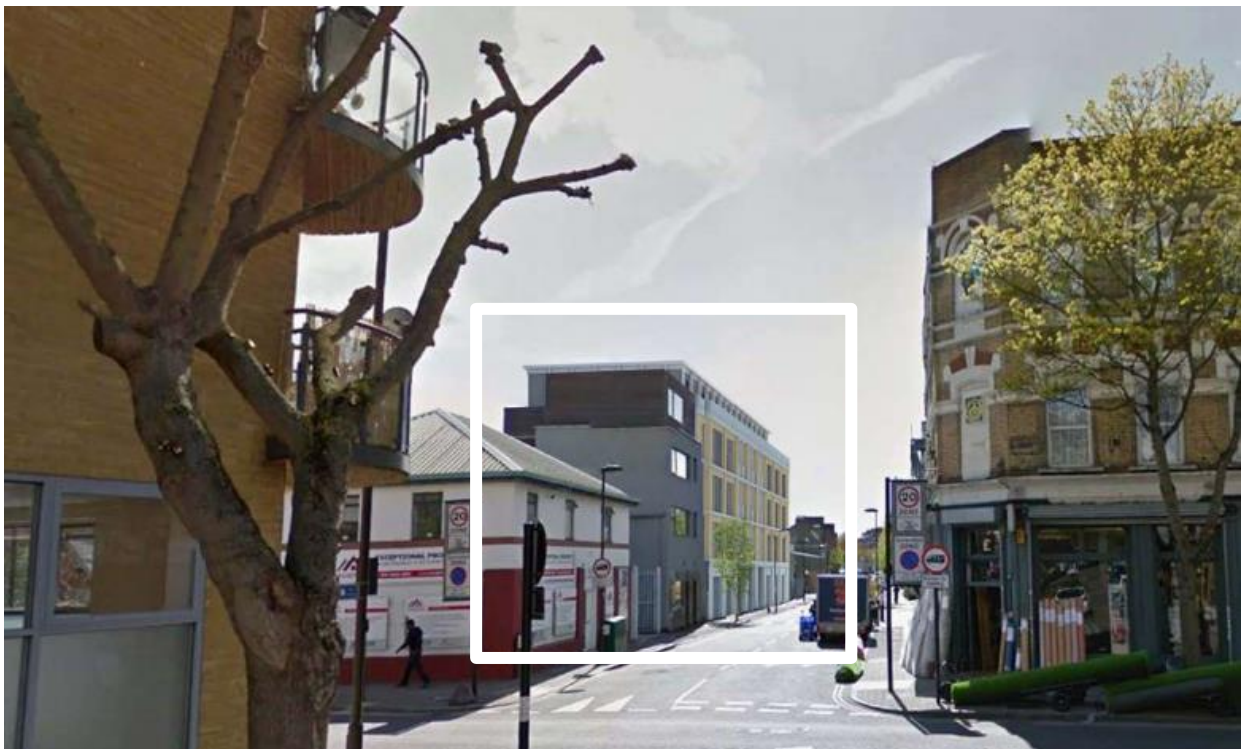


Fig 6.2 Views looking west from Hornsey Road/Spears Road



Fig 6.3 Views looking east from Fairbridge Road

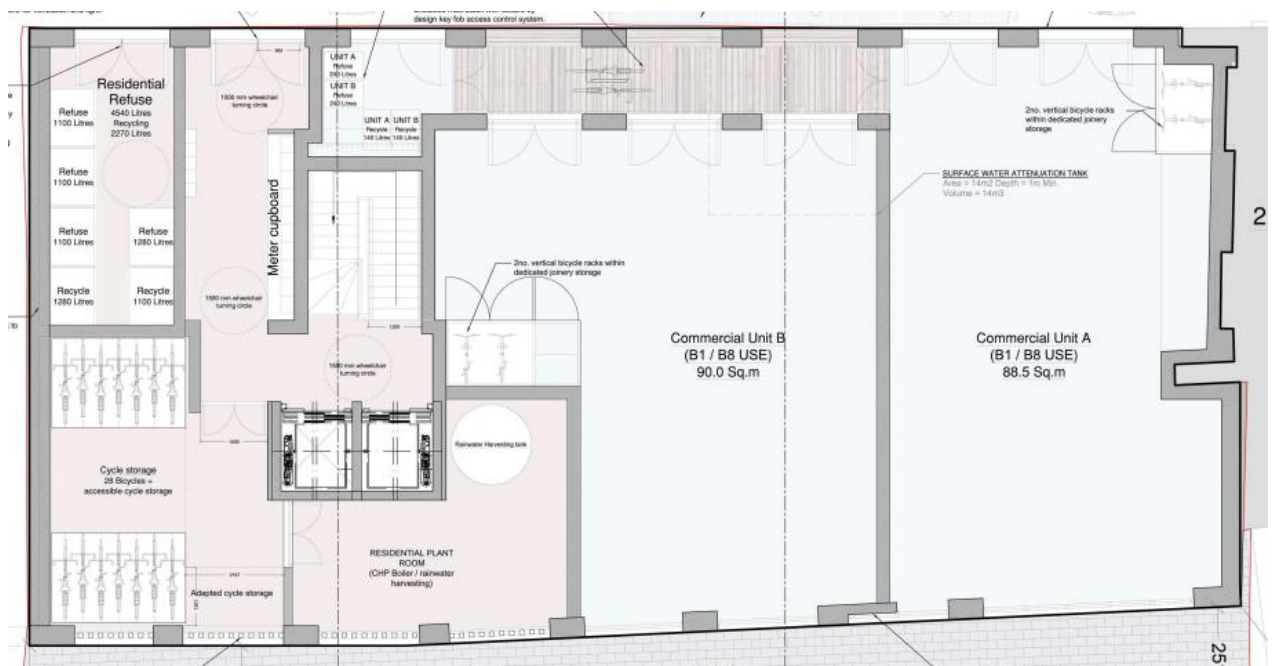


Fig 6.4 Proposed Ground Floor Plan

- 6.4 At ground floor there would be 2 commercial units with separated entrances, and a separate residential core with refuse and cycle stores and 2 lifts.

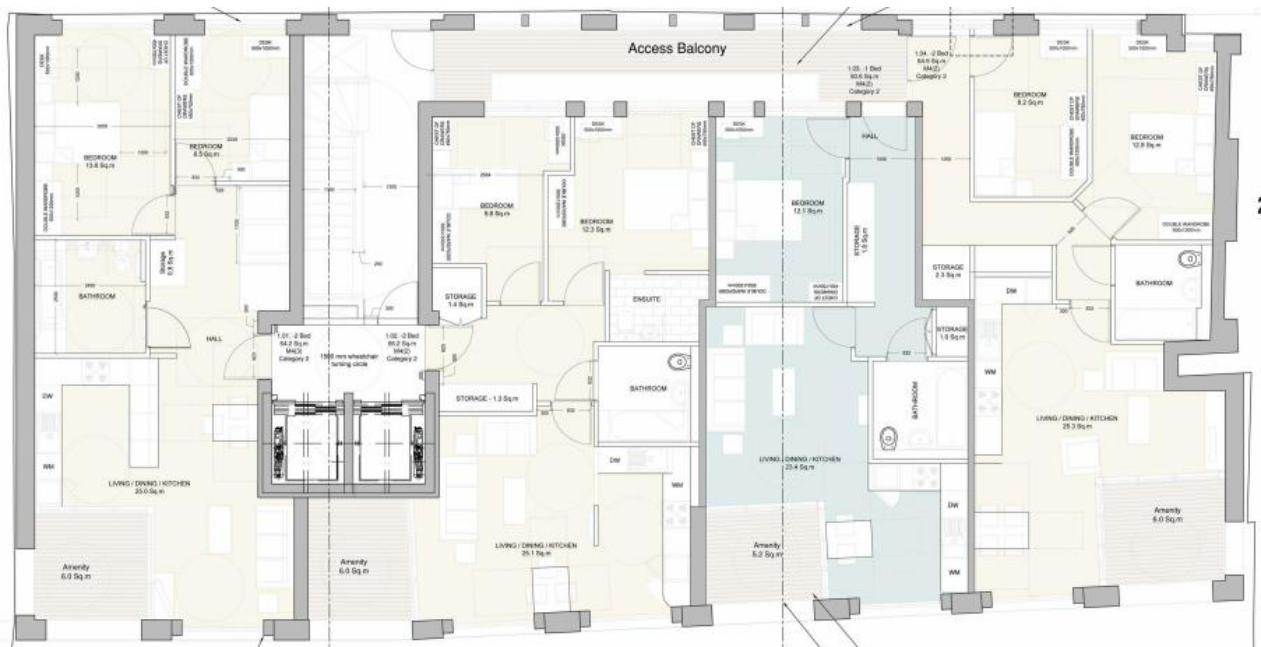


Fig 6.5 Proposed First Floor Plan

- 6.5 The upper floors would have 15 residential units. On each floor, 2 units would be accessed from the internal circulation corridor, and the others via the deck access balcony on the front elevation. The units would all be dual aspect, with bedrooms facing the street (away from the railway line), and living rooms with inset balconies facing south towards the railway line (away from the neighbours on Fairbridge Road).

7. RELEVANT HISTORY

Application Site

- 7.1 P071880 Demolition of existing garage and construction of new garage with MOT testing facilities and 3.0m high fencing fronting Fairbridge Road. Approved 07/03/2008. This appears not to have been implemented.

169-191 Fairbridge Road (opposite the site)

- 7.2 P092517 Erection of two buildings comprising a part 2, 3 and 5-storey building and a 5-storey building providing for 80 dwellings at part ground and wholly to upper levels and two ground floor units for flexible use: A1 (shop) / A2 (financial/professional services) / B1 (business) / D1 (non-residential institutions) / D2 (assembly and leisure), together with the formation of a new road, disabled car-parking and erection of an electrical sub-station. Approved 25/06/2010. Subsequently varied by application P110762 (amended plans); and P120765 (occupation date).

212 Fairbridge Road (adjacent to the north east)

- 7.3 961960 Lawful use as ground floor workshop and first and second floor one-bedroom 'live-work' unit. Approved 12/12/1996.
- 7.4 P071698 Construction of a new roof extension, balcony and first floor garden room. Approved 04/09/2007.

- 7.5 P080660 Alterations and extensions including roof extension with balcony; construction of a new timber screen; opening lights and doors to the front elevation; first floor garden room extension. Approved 20/05/2008.

471 Hornsey Road (on the north west corner with Fairbridge Road)

- 7.6 P2016/2741/FUL Erection of roof extensions at second and third floor to create 2no. residential flats (1x 2 bedroom flat and 1x 3 bedroom flat) and alterations to existing flat C. Ground floor commercial unit to be retained along with existing 3no. residential units. Refused 31/08/2016, due to failure to comply with the Council's affordable housing policy. Appeal dismissed 24/01/2017.

- 7.7 P2017/1273/FUL Resubmission of application P2016/2741/FUL, including affordable housing contribution to address previous reason for refusal. Under Consideration.

469 Hornsey Road (on the south west corner with Fairbridge Road)

- 7.8 P2016/4928/FUL Demolition of existing two storey building and erection of 4 storey building plus set back roof addition and part basement to provide office (B1 use) at ground and part basement floor and 7 self-contained resident units (6x2 beds, 1x3 bed) plus cycle parking and associate refuse. Under consideration.

8. CONSULTATION

- 8.1 Letters were sent to occupants of 140 adjoining and nearby properties on 26/07/2017. Site notices and a press notice were published on 27/07/2017. The public consultation period ended on 17/08/2017; however, it is the Council's practice to continue to consider until the decision date.

Public Consultation Responses relevant to Planning

- 8.2 At the time of writing, objections were received from 16 neighbouring addresses, of which 10 were very similar proforma-style responses from Landsdowne Court (labelled within the application documents at Block A). No responses were received from residents at Kipling Court (labelled as Block B), which is directly opposite the site.
- 8.3 The issues raised are summarised as follows (*with officer comments in brackets*):
- 8.4 Loss of privacy and overlooking, across Fairbridge Road and to the rear towards the rear windows and terraces at 212 Fairbridge Road (*Officers have reviewed the floorplans of adjacent properties and considered this issue in the neighbour amenity section of this report. The Council's guidance states that windows which face away from a highway should have an 18m separation distance. The development has been designed with main living rooms on the rear elevation to minimise overlooking, and privacy screens were added to the proposal following the consultation responses, in order to prevent overlooking towards 212 Fairbridge Road*)
- 8.5 Loss of sunlight and daylight. (*There are a number of surrounding units which would experience reduced daylight as a result of the proposed development, which is to be expected as they are within a 5-storey building currently overlooking a clear site. The neighbouring units which would experience loss of daylight are considered in the daylight and sunlight section of this report, and it is noted that they would still experience BRE compliant sunlight levels following the development.*)

- 8.6 At 5 storeys, the design is overbearing and too tall. *(This was raised by the neighbours in the opposite 5-storey, and nearby 4-storey buildings. The proposal would be 5 storeys, with the top storey substantially set-back by 1.9m so as to read as 4 storeys plus a roof storey, and would be in keeping with the scale of the 4-5 storey buildings on Fairbridge Road.)*
- 8.7 Article 8 of the Human Rights Act (which states that a person has the substantive right to respect for their private and family life) should be considered. *(Officers have considered the application in light of the relevant legislation, including but not limited to the Human Rights Act 1988 and the Public Sector Equality Duty as set out in section 149 of the Equality Act 2010)*
- 8.8 Additional pressure on local facilities, including schools, GP surgeries and parking spaces *(A CIL contribution is required separately to contribute to community infrastructure, and the development will be parking permit-free for new residents).*
- 8.9 The construction programme would impact on local businesses, in particular the carpet shop on the corner of Hornsey Road which currently leaves carpet on the highway and may be affected by dust. *(An outline Construction and Environmental Management Plan is to be secured by condition 29 and the s.106 obligations include compliance with the code of construction practice and monitoring).*
- 8.10 The proposed concrete facing at ground floor may weather poorly if a low grade is specified. *(The proposal would use glass reinforced concrete which is a high quality, robust and low maintenance material. Detailed design and exact specifications are to be secured by condition 5).*

Additional Public Comments (relevant to matters outside the planning system)

- 8.11 The developers have incorrectly labelled Blocks A and B and the application should be refused on that basis. *(The sunlight and daylight assessment clearly shows the impacts of the proposed development on the surrounding buildings, with 3D window maps showing the affected properties. The labels given to those buildings is not material to consideration of the impacts of the development).*
- 8.12 External Consultees
- 8.13 Network Rail: Objected to the proposed basement due to land stability concerns, and to the building being along the boundary with Network Rail land as this would provide no boundary maintenance opportunity, would be too close to overhead line equipment and would allow littering of household goods on the railway line. *(No basement is proposed and a 2.5m clear "maintenance strip" of land is proposed along the boundary, exceeding the Network Rail guidance of 2.0m. Officers have been forwarded correspondence between the applicant and network rail agreeing to the proposal, and have separately been in correspondence with Network Rail to agree withdrawal of the objection. Network Rail have been unable to explain their objection, and in order to avoid frustrating development, officers recommend that the scheme is approved subject to the withdrawal of the Network Rail objection on the assumption that it will be withdrawn).*
- 8.14 Transport for London: The proposal would not result in an unacceptable impact to the Transport for London Road Network.

- 8.15 Thames Water: No objection, subject to the relevant consents being obtained in relation to piling. *(An informative is recommended setting out the Thames Water comments.)*

Internal Consultees

- 8.16 Design and Conservation Officer: The proposal is considered to be appropriate within its industrial and residential context, using contextual materials and not appearing over-dominant on the street scene. The proposal has addressed the DRP comments.
- 8.17 Energy Officer: Following revised and additional information, the proposal would comply with the Council's energy saving policies and no objection is raised. Based on the submitted documents the proposal would exceed BREEAM excellent, and would comply with the Islington and London Plan emission reduction targets. A carbon offset reduction of £24,824 is required. *(A s.106 obligation is recommended to require an updated energy statement to include dynamic thermal modelling and exploration of PV panels, and subsequent recalculation of the CO2 offset payment to reflect any changes).*
- 8.18 Highways: No objection, subject to the relevant highways works being secured through the s.106 agreement.
- 8.19 Housing: As the development is not owned by the Council or a Registered Provider (RP), and there is only one core, it would be unusual for social rent to be provided on-site. The housing officer contacted the two RPs in the borough which have previously managed isolated social rent units, who declined to accept the units. Having considered the options of (1) all the proposed affordable housing being on site, but intermediate; or (2) a smaller proportion of intermediate housing on site, and a greater financial contribution towards the Council's new build homes programme, the preference was for on-site delivery. *(The proposal would deliver 5 intermediate units on site, which was the maximum reasonable amount supported by an independently reviewed viability appraisal).*
- 8.20 Inclusive Design: No objection, subject to improved accessible cycle storage, mobility scooter charging space, and reconfigured wheelchair unit bathroom. *(Those changes were made, and inclusive design features/standards are to be secured by condition 10).*
- 8.21 Environmental Pollution (Noise and vibration): The proposal does not adequately assess the noise impacts of the proposed industrial units, and the adjacent railway line, on the proposed residential units. The noise survey was carried out at a time when the railway line was not fully operational. However, it would be possible to deliver the proposed development in this location subject to appropriate detailed design and mitigation, which should be informed by a further noise assessment. An opening-hours condition is also recommended to avoid noise at unsociable hours. *(Conditions 11, 12 and 13 are recommended to address noise and vibration concerns, and ensure appropriate structural and façade design to avoid unacceptable noise and vibration).*
- 8.22 Environmental Pollution (Construction and Air Quality): Additional detail is required within a Construction Environmental Management Plan to ensure that construction impacts are properly identified and mitigated. The air quality report predicts exceedance of the allowable Nitrogen Oxide emissions at ground level, although this will be within 5% of the objective so mitigation is appropriate. *(Condition 30 is recommended to secure further mitigation).*

- 8.23 Environmental Pollution (Contamination): The site's previous uses are potentially contaminating so further investigation and mitigation are advised (*Condition 25 is recommended to secure intrusive investigation and remedial measures if required*).
- 8.24 Environmental Pollution (Light Pollution): No objection, but impacts on the adjacent railway embankment Site of Importance for Nature Conservation should be considered (*Details of external lighting were submitted, and condition 16 is recommended to allow further officer consideration of lighting with regard to crime safety, light pollution and biodiversity*).
- 8.25 Biodiversity Officer: Agreed with the recommendations in the Preliminary Ecological Appraisal and raised no objections.
- 8.26 Tree Officer: No objection, but an Arboricultural Impact Assessment to comply with the recommendations of BS5837:2012 should be required by a planning condition, adequate tree protection measures should be in place, and the cost of the additional street tree should be secured through the s.106 agreement, but its location and species should be decided by the Council's highways team to ensure an appropriate species, tree pit, and location. (*The proposed tree is included in the Planning Obligations heads of terms*).

Design Review Panel

- 8.27 The proposal was considered by the Design Review Panel on 14th March 2017, and the following response was provided. The response is included at Appendix 3 and summarised as follows (*with officer comments in brackets*):
- 8.28 Top storey: The Panel were not convinced by the top storey and felt that the set-back storey was apologetic. Panel members felt that the loggia design previously proposed would improve the appearance of the top storey and provide a better top to the building." (*The proposed top storey was redesigned to result in a more decorated appearance, with framed GRC elements to add depth and present vertical columns with a loggia type appearance. The design officer confirmed that this would address the DRP comments*)
- 8.29 Ground floor and overall height: The Panel felt that the ground floor could be increased to 5m high to better suit the proposed land use, but that the height increase resulting from a 5m high ground floor would need to be balanced by removal of a storey. (*The DRP comments regarding land use extend beyond design and townscape concerns, and the acceptability of the proposed floorspace is assessed in paragraph 10.2 of this report onwards. As the ground floor was not increased in height, there was no reason to remove the top storey so the height was maintained at 5 storeys similar to the 5 storey buildings opposite.*)
- 8.30 Entrances: Panel members advised that the ground floor may work better with the entrances to the commercial units at one end of the elevation, away from the residential entrance, clearly separating the different entrances and uses. This could also help provide more flexible units that are more easily subdivided. Some panel members felt it was disappointing that the bin store was positioned centrally on the front elevation. (*The design and layout of the ground floor was amended to better differentiate commercial and residential entrances, and to provide a more active ground floor*)

- 8.31 Trees: The Panel questioned the addition of a new tree in front of one of the commercial units and suggested that this may cause problems if vehicles need access into the unit. *(One street tree is proposed. There is no vehicular access into the site, and the location of the tree is to be agreed with the highways officers through the s.106 agreement)*
- 8.32 Deck access: Panel members raised some concerns regarding privacy issues with the deck access to the flats and questioned whether the kitchens could front the deck access rather than the bedrooms to provide a more comfortable living environment. The daylight to the proposed flats was also questioned, along with the impact on the daylight if a different window arrangement was proposed to the bedrooms, providing greater privacy. *(A daylight assessment was submitted showing that the proposed units would receive acceptable daylight levels, and the decks were shortened and increased in width from the original pre-application proposal to create a spacious relationship and minimise privacy or crime issues.)*

9. RELEVANT POLICIES AND LEGISLATION

- 9.1 The relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents.

National Guidance

- 9.2 The National Planning Policy Framework (NPPF) 2012 is a material consideration which seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. Since March 2014 planning practice guidance for England has been published online.

Development Plan

- 9.3 The Development Plan is comprised of the London Plan 2016 (amended), Islington's Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The relevant Development Plan policies are listed in Appendix 2.

Designations

- 9.4 The site is within an Employment Growth Area, and is not subject to any site allocations or further Development Plan designations.

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.5 The relevant SPGs and/or SPDs are listed in Appendix 2.

Environmental Impact Assessment (EIA)

- 9.6 No request for an Environmental Impact Assessment (EIA) scoping opinion was submitted, however the site is significantly less than 1 hectare in size and it is not in a sensitive area as defined by the Infrastructure Planning (Environmental Impact Assessment) Regulations (2017). As such the proposal is not considered to fall within the development categories of Schedule 1 or 2 of the EIA Regulations and an EIA is not considered necessary.

10. ASSESSMENT

10.1 The key issues for consideration are:

- Land-Use
- Design
- Affordable Housing
- Neighbouring Amenity
- Highways and servicing

Land Use

Business Use

- 10.2 The site is located within the designated Hornsey Road Employment Growth Area (EGA). Loss of business floorspace would be resisted by London Plan Policies 2.9 and 4.4 and the SPG Land for Industry and Transport (2012), Islington Core Strategy Policy CS13 and Development Management Policies DM5.1 and 5.2. Business uses are defined as those in B-Class uses.
- 10.3 The existing building is vacant but was most recently in use as an MOT garage with 122sqm (GIA) within Use Class B2 and an outdoor servicing area. Whilst this would be demolished, the scheme proposes to deliver 178.5sqm (GIA) of replacement business floorspace for B1 and B8 uses (a net gain of 56.5sqm, or a 46% increase).
- 10.4 Policy DM5.1 requires proposals for new business floorspace to allow for future flexibility for a range of uses. The existing lawful is within Use Class B2, which allows industrial uses that are generally not compatible with adjacent sensitive (including, residential) uses. As the proposal would be a mixed use development, B1 and B8 uses are proposed. B1 uses include offices, research facilities and light industrial uses which are generally compatible with residential uses. B8 uses are storage and distribution, including wholesale. This would allow a broad range of business uses, including light industrial uses.
- 10.5 The proposed business units would have 3.3m floor to ceiling heights, ground floor access (for loading etc.), separate entrances, and good access to natural light. An Employment Land report was submitted which supports the proposed floorspace and identifies demand for the type of space proposed, in this location. The proposed business units would be fit-for-purpose, and would adequately replace the existing business floorspace.
- 10.6 Policy DM5.4 requires major developments in Employment Growth Areas to incorporate affordable workspace and/or floorspace suitable for small and micro businesses (those of 90sqm or smaller), in order to maintain workspace for small or low value users and prevent them being displaced by larger occupiers. Both business units would be 90sqm or less, thus the business component of the development would be 100% SME units and would be acceptable in this respect.

Residential Units

- 10.7 There is a policy presumption in favour of new housing delivery, and the Council's policies do not resist mixed use developments in Employment Growth Areas, subject to maximisation of business uses.
- 10.8 The proposal would deliver 15 new flats which would contribute towards the Borough's housing requirements. The site is adjacent to, and opposite, existing residential units, and is a sustainable location for new dwellings.
- 10.9 Part F of Policy CS12 identifies that high levels of external noise and vibration may make residential development unacceptable unless appropriate mitigating measures can be provided to the required standard. There is potential for the relationship between the business and residential uses to cause undue harm to neighbour amenity and/or harm the ability of business to function unhindered by environmental health complaints. However, the proposed business uses are compatible with residential uses and would be on a separate floor, with noise separation between floors to be secured by planning condition 13.

Affordable Housing

- 10.10 Core Strategy Policy CS12 requires development proposals to deliver the maximum reasonable amount of affordable housing, taking account of the borough-wide target of 50% provision and which should be provided on-site for developments with 10 or more residential units. The Council's affordable housing policy is supported by London Plan policies 3.9, 3.12 and 3.13.
- 10.11 The maximum reasonable amount of affordable housing is that which could be provided without rendering the development financially unviable. A Financial Viability Assessment (FVA) was submitted to the Council which was independently appraised by BPS Chartered Surveyors. The FVA concluded that the maximum reasonable amount of affordable housing which the development could provide is 2 shared ownership units. The FVA is available for public inspection on the Council's website. BPS reviewed the appraisal, and advised that the scheme would generate a further surplus which could be used to enable an increased amount of affordable housing.
- 10.12 As only market and shared ownership (intermediate) units were proposed (no social rent units), discussions also took place with the Council's housing officer to determine the optimum format of the affordable housing contribution. Policy CS12 sets a target for affordable housing tenure split of 70% social housing and 30% intermediate housing. Most registered providers however are unable to take on social rent units within mixed cores on developments of this scale, unless they have full control of the whole core or at least 20 social rent units are provided, due to control over service charges. Officers have not been able to find evidence to the contrary. In this case, providing two cores would reduce unit sizes such that they would all be 1-bedroom units, or would result a substantial reduction in the number of units (and if reduced below 10, the policy requirement for on-site affordable units would fall away). Isolated units at ground level are also not possible due the policy requirements for maximisation of business floorspace (within the Employment Growth Area). The Council's housing officer contacted the two Registered Providers in the borough which are able to take on fewer social rent units

within shared cores, and neither of those was willing to manage the units (partially because they do not operate in this location). As there is no reasonable prospect of delivering social rent units within the proposed development, the choice is therefore either a cash contribution or intermediate (shared ownership) units.

- 10.13 Following further discussion, and the consideration against the Council's SPD Planning Obligations (2016), officers consider that the maximum financially viable amount of affordable housing would be 5 shared ownership units and a residual surplus of £42,000 towards the Council's New Homes Programme (which prioritises construction of social rent units). This is based on a valuation of the site on its Existing Use Value (EUV) (disregarding overpayment for the land); index linked comparable sales values (including the flats directly opposite); separate independent review of build costs; and profit margins of 20% on market residential units, 15% on business units, and 6% on affordable units. It is noted that the business units have lower values than the residential units which reduces viability, but that both of the business units would be "affordable" SME units (with low values due to their small sizes).
- 10.14 The amount of affordable housing proposed represents 33% of units and 29% of habitable rooms. It is recommended that the affordable housing is secured by a s.106 legal agreement. As the amount to be provided is below the strategic policy target of 50%, a review mechanism is recommended within the s.106 agreement which would capture additional uplift in value, so that if the development surplus increases the maximum reasonable affordable housing contribution will be secured.

Delivery and Infrastructure

- 10.15 Policy CS 18 (Delivery and infrastructure) states that the council will work with its partners to deliver the infrastructure required to support development, and will require contributions from new development to ensure that the infrastructure needs are provided for and that the impacts of the development are mitigated. The proposed development would be subject to s.106 obligations to ensure that appropriate education and training opportunities arise from the development, which would require a local employment and training contribution of £2,178, and a construction training placement during the construction period. Further details of planning obligations are set out in the relevant sections of this report, and as a full list in Appendix 1.

Mix and Quality of Residential Accommodation

Unit Mix

- 10.16 The NPPF acknowledges the importance of high quality and inclusive design for all development, and requires boroughs to deliver a wide choice of quality homes. The London Plan recognises that design quality is a fundamental issue for all tenures and that the size of housing is a central issue affecting quality. London Plan Policy 3.5 states that new dwellings should take account of factors relating to the "home as a place of retreat," and that housing developments should be of the highest quality both internally and in relation to their context.
- 10.17 Core Strategy Policy CS 12 (Meeting the Housing Challenge) encourages residential development in the borough, with a range of unit sizes and tenures. Part E requires a range of unit sizes within each housing proposal to meet the needs in the borough.

Policy DM3.1 parts A. and B state that all sites should provide a good mix of housing sizes.

- 10.18 The suggested mix of units set out in the DM Policies document prioritises 2 bedroom units (75%), with the rest as 3-bedroom (15%) or 1-bedroom (10%) units. The proposal would comply with the priority for 2-bedroom units, and would provide 73% (11no.) 2-bedroom units and 27% (4no.) 1-bedroom units. Given the small number of units, and the location adjacent to a railway line, near a main road, and within an EGA (with no scope for larger ground floor units with gardens), the proposed mix of units is broadly compliant with this mix and is considered acceptable.

Standard of accommodation

- 10.19 London Plan Policy 3.5 states that securing new housing of the highest quality and protecting and enhancing residential neighbourhoods are key Mayoral priorities, and that new dwellings should take account of factors relating to arrival at buildings, and the place of retreat offered by homes. Policies DM3.4 and 3.5 require new developments to provide good quality accommodation both internally and externally, which should accord with the principles of good design and provide dual aspect accommodation unless exceptional circumstances are demonstrated. The relevant standards for internal layouts and room sizes are provided by:
- The London Plan (2016) MALP Policy 3.5 and Table 3.3
 - London Plan SPG: Housing (2016)
 - The Department for Communities and Local Government's Nationally Described Space Standard (March 2015)
 - DM Policy 3.4
- 10.20 All of the proposed residential units would comply with the sizes detailed within Policy 3.4 and the above standards. The proposed units would have adequate sizes and layouts, good ceiling heights (2.7m), sufficient storage space, and functional, useable space. All units would be dual aspect, and the rooms would be stacked to minimise noise transfer. The bedrooms would have windows on the Fairbridge Road elevation to avoid railway noise at night, and the living rooms with inset balconies would be on the south facing rear elevation overlooking the railway, to maximise south facing light, and minimise overlooking to neighbours. The dual aspect would be achieved by deck access serving 2 flats on each floor, with short decks on the front elevation. All units would have an outdoor balcony/terrace of at least 5sqm and 1.5m wide, directly accessible from the living room. There would be a secure entrance with 2 lifts to each unit and no more than 4 flats on each floor. A sunlight and daylight study was also provided demonstrating that the new units would achieve good levels of sunlight and daylight. The proposed development would deliver a high standard of accommodation.
- 10.21 A noise and vibration report was submitted with the application to examine the impact of sound from the proposed business units, railway line, and road, on the proposed residential units. The assessment was submitted with the application which concludes that the noise levels at the proposed dwellings (from the railway line and nearby roads) would be acceptable and would result in acceptable living accommodation. This was

undertaken when the railway line was undergoing maintenance works, and does not represent a worst-case scenario, however these works are continuing until January 2018 so the Council's acoustics officer considered it more appropriate to require an updated noise assessment with mitigation measures prior to commencement of the development, when a more accurate study can be carried out. It is necessary for this to be pre-commencement in case remedial measures are required that cannot be designed at a later stage (for example specialist foundation design to avoid vibration).

- 10.22 The London Plan SPG Play and Informal Recreation sets out a formula for play-space for new developments, which estimates a child yield of less than 2 and a play-space requirement of 11.8sqm for the proposed unit mix. Where the child yield is less than 10, there is no requirement for formal playspace but a financial contribution may be sought to mitigate additional pressure on local play-space. This contribution is included within the (non-negotiable) Islington Community Infrastructure Levy (CIL) which is payable on commencement.
- 10.23 The proposed development would provide appropriate residential unit sizes and layouts, and acceptable living environments for its future occupants.

Accessibility

- 10.24 The Deregulation Bill 2015, London Plan Policies 3.8 and 7.2, Islington Policy DM2.2, and the Inclusive Design SPD require all new developments to demonstrate inclusive design. 10% of new residential units should be Wheelchair User Accessible (Building Regulations M4(3)) and the rest should be "Accessible and Adaptable" (Building Regulations M4(2)).
- 10.25 There would be a wheelchair accessible unit at first floor. This would be a 2-bedroom unit and would represent 7% of units (or 7.3% of habitable rooms) and would be acceptable.
- 10.26 The new building would be built to modern standards, with level access to each unit (with 2 lifts to the first floor wheelchair accessible unit). There would be space for accessible cycle storage at ground level, with a clear 1.5m zone for access, and scooter charging space within the wheelchair accessible flat.
- 10.27 The business units at ground level would have level access to the entrances, cycle storage, and waste storage.
- 10.28 A financial contribution of £2,000 towards one blue badge parking space on-street is to be secured through the s.106 agreement. Planning condition 10 is recommended to secure one wheelchair accessible WC within each business unit, and to ensure that both residential lifts are provided prior to first occupation of the wheelchair accessible unit. Planning condition would also secure 1 residential unit as Building Regulations standard M4(3) (wheelchair accessible) compliant, and the rest as M4(2) compliant.
- 10.29 Subject to the recommended conditions to secure the relevant accessible design measures, the proposal would comply with the Council's high standards of accessible and inclusive design and would be acceptable in this respect.

Design

- 10.30 The NPPF Core Planning Principles (Paragraph 17) include that planning should always seek to secure high quality design, and paragraph 56 states that good design is a key aspect of sustainable development and indivisible from good planning.
- 10.31 London Plan Policies 7.4, 7.5, 7.6, 7.7 and 7.11 require buildings to make a positive contribution to their public realm and streetscape, to be of the highest architectural quality and to be of proportions, composition, scale and design which enhances and appropriately defines the public realm. Buildings should not cause unacceptable harm to surrounding amenity and should make the public realm comprehensible at a human scale, particularly at ground level.
- 10.32 These policies are supported locally by Islington Policies CS8 and CS9 which encourage traditional street patterns and sympathetic building designs, and Policy DM2.1 which requires high quality, inclusive design for all developments. The Islington Urban Design Guide states that new buildings should reinforce the character of an area by creating an appropriate and durable fit that harmonises with their setting. New buildings should create a scale and form of development that is appropriate in relation to the existing built form so that it provides a consistent / coherent setting for the space or street that it defines.
- 10.33 The existing MOT garage building is a metal shed type structure, and is not in a Conservation Area, and not subject to any heritage constraints. Officers have no objection to the demolition of the building (subject to the replacement development maximising the site's employment benefits).

Height, Scale and Massing

- 10.34 Policy DM 2.1 requires new development to efficiently use the site and improve the quality, clarity and sense of space between buildings. There should be enhanced legibility and clear distinction between public and private spaces. Developments should also respect and respond positively to existing buildings, the streetscape and the wider context, including local architectural language and character, and locally distinctive patterns of development.
- 10.35 The surrounding area is built up and urban in character, and the positioning of the new building across the majority of the site's footprint would be characteristic of its surroundings.
- 10.36 The buildings within the vicinity of the site range from 2-5 storeys in height. Where buildings are lower they are generally 2-storey employment shed style buildings which are functional (within the Employment Growth Area) but don't contribute positively to the public realm, and the taller 5-storey buildings (including at 169-191 Fairbridge Road directly opposite the site) have set-backs at top storey to reduce the perceived eaves height. Officers consider that the predominant or appropriate building height in the immediate vicinity is 3-4 storeys plus a pitched roof or set-back additional storey.
- 10.37 The buildings directly opposite at 169-191 Fairbridge Road are 5 storeys high, and the adjacent building to the north east (212 Fairbridge Road) is 4 storeys high, with a 4 storey sheer side elevation adjacent to a servicing yard. The building to the south west (currently in use as an Islington Council depot) is a 2 storey warehouse with an external servicing area adjacent to the site boundary. There are varied building heights within the

site's surroundings, and the building line on the south side of Fairbridge Road is not consistent.

10.38 The proposed building would be 5 storeys high, and the top storey would be setback. The parapet height would be approximately aligned with the top storey of 212 Fairbridge Road to allow some consistency, and the top storey would be set-back on all elevations so as to appear visually recessive.

10.39 The following images show the proposed front elevation, and 3D views of the site from south west and north east.



Fig 10.1: Proposed Front Elevation



Fig 10.2: Proposed view from Spears Road (looking south west across Hornsey Road)



Fig 10.3: Proposed view from Fairbridge Road (looking north east towards Hornsey Road)

- 10.40 The existing south west elevation of 212 Fairbridge Road is 4 storeys tall, adjacent to a servicing yard. The south west elevation of the proposal would have a similar scale, although it would be a more attractive elevation with horizontal banding and inset brick panels in recognition that it will be visible from the street. Although there would be a 4-storey building adjacent to a servicing yard, this wouldn't be uncharacteristic in this location.

- 10.41 The proposed development was considered by the Design Review Panel prior to submission of the application.
- 10.42 At the time of their review, the DRP were concerned that the top floor felt too “apologetic” as it was just a plain metal-clad box. Following this advice, a “framed” design is proposed to the top storey, which retains a high quality design and interesting detailing, whilst still being visually recessive. This is considered to address the Panel’s concerns, while avoiding an overly dominant appearance.
- 10.43 The proposed scale, height and massing is considered contextual and is supported by the Council’s design officers.

Detailed Design and Materials

- 10.44 The design of the proposed building would be simple and consistent, picking up on the prevailing yellow brick of the surroundings, and presenting simple, high quality detailing. The ground floor would have Glass Reinforced Concrete (GRC) piers, facing and banding; this would be a high quality appearance and give the building presence at ground floor level. There would be three brick storeys above, with GRC banding, and a metal clad top storey with GRC piers. The brick storeys would be designed with deep window reveals, and vertical piers which gradually become more slender further up the building. There would be a central three-bay set of voids, which would provide a recessed entrance for the business units at ground floor, and deck access on the upper floors with the appearance of inset balconies. This would be a contextual and high quality design, and the inset deck-access design is a clever solution to facilitate dual aspect units within an attractive prominent front elevation.
- 10.45 Subject to securing further detail of acceptable materials and detailing (condition 3), the detailed design of the proposed building is considered to be of high quality, and would be an attractive addition to the streetscene.

Design Summary

- 10.46 The design of the new building would tie together aspects of the existing urban environment and would avoid introducing cluttered or incongruous architecture.
- 10.47 The proposal is considered to be acceptable in terms of its design.

Neighbour Amenity

- 10.48 All new developments are subject to an assessment of their impact on neighbouring amenity; including in terms of daylight, sunlight, privacy, increased sense of enclosure, noise and disturbance as required by London Plan Policies 7.14 and 7.15 and Development Management Policy DM2.1.
- 10.49 At 5 storeys, the new building would be taller than the existing 1-2 storey building and servicing yard and would have an impact on the amenities of surrounding residents. The key consideration is whether those impacts are acceptable, i.e. whether following the development the surrounding properties would still experience acceptable living standards. It should be noted that sunlight and daylight were tested at pre-application stage, and the development was subsequently substantially reduced in scale (from a full 6 storeys at pre-app stage) in order to avoid unacceptable impacts.

Sunlight and Daylight

10.50 A sunlight and daylight assessment was submitted with the application. This considers the impacts of the proposed development on all adjacent residential neighbours in accordance with the 2011 Building Research Establishment (BRE) guidelines. Impacts on the following neighbouring properties were assessed:

- Landsdowne Court, Fairbridge Road (labelled as Block A 167-191 Fairbridge Road)
- Kipling House Fairbridge Road (labelled as Block B 167-191 Fairbridge Road)
- 25 Jutland Close
- 212 Fairbridge Road

BRE Guidance: Sunlight and Daylight:

10.51 In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.

10.52 BRE Guidelines (2011) paragraph 1.1 states:

“People expect good natural lighting in their homes and in a wide range of non-habitable buildings. Daylight makes an interior look more attractive and interesting as well as providing light to work or read by”. Paragraph 1.6 states: “The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design...In special circumstances the developer or local planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings”.

BRE Guidance: Daylight to existing buildings

10.53 The BRE Guidelines stipulate that the diffuse daylighting of the existing building may be adversely affected if either:

- the VSC (Vertical Sky Component) measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value (or reduced by more than 20%), known as “the VSC test”.
- the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value (or reduced by more than 20%), known as the “No Sky Line” (NSL) or “Daylight Distribution” (DD) test.

10.54 The neighbour objections stated that if one of the VSC tests was failed, the development would not be BRE compliant. However, it should be clarified that this is not the case and only one of the above VSC tests needs to be passed to achieve BRE compliance (i.e. a VSC reduction of over 20% may not result in adverse impacts in situations where the former VSC was very high, and where the resultant VSC would still be more than 27%).

10.55 At paragraph 2.2.7 of the BRE Guidelines it is stated:

“If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. If the VSC, with the development in place is both less than 27% and less than 0.8 times is former value, occupants of the existing building will notice the reduction in the amount of skylight. The area of lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.”

10.56 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value is almost 40% for a completely unobstructed vertical wall.

10.57 At paragraph 2.2.8 the BRE Guidelines state:

“Where room layouts are known, the impact on the daylighting distribution in the existing building can be found by plotting the ‘no sky line’ in each of the main rooms. For houses this would include living rooms, dining rooms and kitchens. Bedrooms should also be analysed although they are less important... The no sky line divides points on the working plane which can and cannot see the sky... Areas beyond the no sky line, since they receive no direct daylight, usually look dark and gloomy compared with the rest of the room, however bright it is outside”.

10.58 Paragraph 2.2.11 states:

“Existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction may result in a large relative impact on the VSC, and on the area receiving direct skylight.”

10.59 The paragraph goes on to recommend the testing of VSC with and without the balconies in place to test if it the development or the balcony itself causing the most significant impact.

10.60 The BRE Guidelines at its Appendix F gives provisions to set alternative target values for access to skylight and sunlight. It sets out that the numerical targets widely given are purely advisory and different targets may be used based on the special requirements of the proposed development or its location. An example given is:

“in a mews development within a historic city centre where a typical obstruction angle from ground floor window level might be close to 40 degrees. This would correspond to a VSC of 18% which could be used as a target value for development in that street if new development is to match the existing layout”

10.61 Paragraphs 1.3.45 and 1.3.46 of the Mayor of London’s Housing SPD state that:

“Policy 7.6Bd requires new development to avoid causing ‘unacceptable harm’ to the amenity of surrounding land and buildings, particularly in relation to privacy and overshadowing and where tall buildings are proposed. An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.

The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.”

BRE Guidance: Sunlight to existing buildings

10.62 The BRE Guidelines state in relation to sunlight at paragraph 3.2.11:

“If a living room of an existing dwelling has a main window facing within 90 degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected.”

10.63 This will be the case if the centre of the window:

- Receives less than 25% of annual probable sunlight hours (APSH), or less than 5% of annual (winter) probable sunlight hours between 21 September and 21 March (WPSH) and
- Receives less than 0.8 times its former sunlight hours (or a 20% reduction) during either period and
- Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

10.64 The BRE Guidelines state at paragraph 3.16 in relation to orientation:

“A south-facing window will, receive most sunlight, while a north-facing one will only receive it on a handful of occasions (early morning and late evening in summer). East and west-facing windows will receive sunlight only at certain times of the day. A dwelling with no main window wall within 90 degrees of due south is likely to be perceived as insufficiently sunlit.”

10.65 The Guidelines go on to state (paragraph 3.2.3):

“... it is suggested that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun.”

Daylight and Sunlight Assumptions for neighbouring residential properties

10.66 The sunlight and daylight assessment submitted with the application considers the impacts of the proposed development on all adjacent residential neighbours in accordance with the 2011 Building Research Establishment (BRE) guidelines. Impacts on the following neighbouring properties were assessed:

- Landsdowne Court, Fairbridge Road (labelled as Block A 167-191 Fairbridge Road)
- Kipling House Fairbridge Road (labelled as Block B 167-191 Fairbridge Road)
- 25 Jutland Close

- 10.67 As 167-191 Fairbridge Road and 212 Fairbridge Road have both been subject to planning applications, up-to-date floorplans are available on the Council's website and were used for the assessment. The assumptions used for the assessment are therefore well evidenced and can be relied upon to be accurate.

Assessment: Daylight to existing buildings

- 10.68 The proposed redevelopment would result in the potential for loss of daylight to neighbouring properties. To demonstrate the impacts, a sunlight and daylight assessment was submitted with the application. This considers the impacts of the proposed development on the residential neighbours in accordance with the 2011 Building Research Establishment (BRE) guidelines. The submitted daylight and sunlight assessment goes into substantial detail and has been scrutinised by officers.
- 10.69 The daylight tests were applied to the above mentioned residential properties near to the site.
- 10.70 The assessment data shows that there would be 7 neighbouring flats which would have at least one room which fails to pass the BRE tests for daylight. As a result, those rooms would experience notable losses in daylight, and those losses require further scrutiny to determine whether the affected flats would retain acceptable living conditions following the development.
- 10.71 Landsdowne Court is located to the north of the site, on the western corner with Charles street, and labelled "Block A" for the purposes of this assessment.
- 10.72 At Block A, 48 of 54 windows (89%) are BRE adherent for VSC and 31 of 33 rooms (94%) are BRE adherent for NSL. Therefore, there are 6 windows and two rooms remaining that do not satisfy the guidelines.
- 10.73 The rooms and windows which fail both the VSC and NSL tests at Block A are illustrated in the following table:

Unit label/ address	Room	Window	Room Use	Vertical Sky Component (Window)			No Sky Line (Daylight Distribution) (Room)			
				Existing	Proposed (target: ≥27%)	Reduction (target: <20%)	Whole room ft²	Previous ft²	Proposed ft²	Reduction (target: <20%)
Flat A10	R7/F01	W9/F01	Bedroom	25.3	17.8	29.6	85.3	80.5	47.5	41.0
Flat A19	R7/F02	W9/F02	Bedroom	27.5	21.2	22.9	85.3	81.0	58.1	28.3

*Table 10.1 (BRE Fails in **Bold**)*

- 10.74 The windows listed within the above table (Block A) are illustrated in the following window map.



Fig 10.4: Block A Window Map

- 10.75 The non-BRE adherent windows relate to two bedrooms, one within a first floor flat and one within a second floor flat in Block A. Those bedrooms are single aspect and located underneath projecting balconies, but the units they serve are dual aspect.
- 10.76 Both of those flats are 2-bedroom flats, and the other bedrooms and living rooms at those flats would pass the BRE daylight test (or face away from the site and are unaffected). Sunlight is considered in the following section of this report, but it is also notable that there would be no BRE test failures in relation to sunlight at those 2 flats.
- 10.77 The overall impacts on living conditions at those properties are relatively minor, and officers consider that they would not warrant refusal of the application.
- 10.78 Kipling House is also to the north of the site, on the eastern corner with Charles Street, and labelled "Block B."
- 10.79 At Block B, 13 out of 31 windows will meet the guidelines for VSC, and 6 of 16 rooms will meet the guidelines for NSL. Therefore, there are 18 windows and 10 rooms remaining, affecting 7 flats within Block B, which would experience "noticeable" reductions in daylight.
- 10.80 The application site is unusual as the residents in the 5-storey Block B currently face over a mostly clear, undeveloped site, which is not a typical situation and therefore any development on the site is likely to result in greater-than-usual reductions in daylight to Block B, and the normal VSC guidance may not be appropriate.
- 10.81 A number of windows at Block B are positioned below balconies, which further increases their sensitivity to daylight and sunlight impacts.

- 10.82 It is acknowledged that BRE guidelines are not designed for tight urban situations, and that in some situations, Appendix F of the BRE guidance provides advice on setting alternative target values for skylight (or daylight) access, based on the layout dimensions of existing development.
- 10.83 An approach is described within the BRE guidelines for similar cases. At paragraph F5 it is stated that:
- “To ensure that the new development matches the height and proportions of existing buildings, the VSC and APSH targets for these windows could be set to those for a ‘mirror-image’ building of the same height and size, an equal distance away on the other side of the boundary.”*
- 10.84 In order to put the impacts of the proposed development into perspective, a “mirror massing” exercise was carried out, which revealed that the impacts of the development are less than those which would occur if Block B was simply “mirrored” onto the application site. The mirror massing exercise demonstrates that the impacts of the development have therefore been minimised, having regard to what could be expected from a consistent approach to townscape.
- 10.85 Notwithstanding that the impacts of the proposal would be less than those arising by simply mirroring Block B, the impacts on the individual flats affected are assessed as follows.
- 10.86 The BRE failures at Block B are illustrated in the following table:

Unit label/ address	Room	Window	Room Use	Vertical Sky Component (Window)			No Sky Line (Daylight Distribution) (Room)			
				Existing	Proposed (target: ≥27%)	Reduction (target: <20%)	Whole room ft²	Previous ft²	Proposed ft²	Reduction (target: <20%)
Flat B8	R2/F01	W2/F01	Bedroom	22.6	9.2	59.3	137.86	128.77	47.79	62.89
		W3/F01	Bedroom	21.8	8.4	61.5				
Flat B18	R3/F01	W4/F01	Bedroom	32.2	19.7	38.8	145.77	142.66	36.77	74.22
	R4/F01	W5/F01	Bedroom	32.5	21.0	35.4	140.32	136.30	37.64	72.38
	R5/F01	W6/F01	Living Room	23.9	13.5	43.5	272.72	265.01	50.36	81.00
		W7/F01	Living Room	19.9	10.3	48.2				
Flat B17	R6/F01	W8/F01	Living Room	20.1	13.1	34.8	279.20	221.73	126.37	43.00
		W9/F01	Living Room	18.9	12.5	33.9				
Flat B19	R2/F02	W2/F02	Bedroom	25.2	14.1	44.0	137.86	128.94	72.08	44.10
		W3/F02	Bedroom	24.9	13.8	44.6				
Flat B29	R3/F02	W4/F02	Bedroom	34.6	24.2	30.1	145.77	142.62	58.14	59.20
	R4/F02	W5/F02	Bedroom	35.8	26.3	26.5	140.32	137.28	61.71	55.10
	R5/F02	W6/F02	Living Room	35.4	26.8	24.3	272.72	266.21	80.72	69.70
		W7/F02	Living Room	34.6	26.7	22.8				

Table 10.2: (BRE Fails in **Bold**, significant fails highlighted)

10.87 The windows listed within the above table (Block B) are labelled on the following window map.

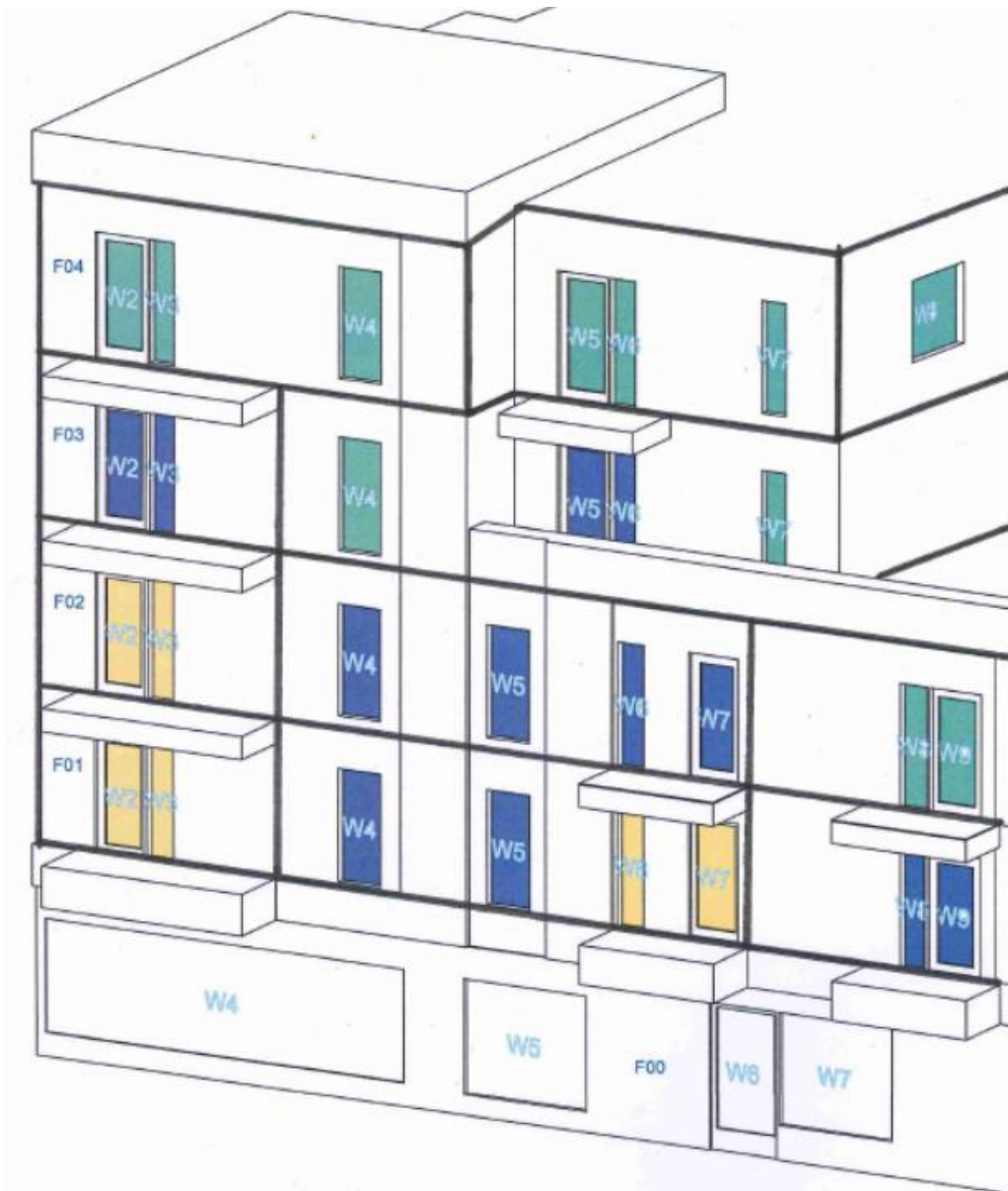


Fig 10.5: Block B Window Map

10.88 5 flats are affected by BRE failures within Block B. Of those, 3 (B8, B17 and B19) are dual aspect flats which would experience reductions in daylight to one room each. The other habitable rooms at those flats would pass the BRE daylight tests (or face away from the site and are unaffected), and all rooms in those flats would retain their existing (or BRE compliant) levels of sunlight. Whilst the failures are larger than would normally be expected, partly because of the unusual existing open aspect, the overall impacts are not considered to result in unacceptable impacts on living conditions at those three dual aspect properties

- 10.89 The other 2 affected flats within Block B (B18 and B29) are single aspect, and although all the rooms in those flats would retain BRE compliant levels of sunlight, all rooms would fail the BRE daylight tests.
- 10.90 At Flat B29 (second floor), the windows would experience actual VSC levels of between 24.2% and 26.7%, which are relatively minor impacts (considering that a retained VSC of 27% is considered to have no notable impact). Although the percentage reductions in daylight would be very high, that is because the existing daylight levels are unusually high, and the result would be that daylight levels would be reduced to normal, acceptable, levels.
- 10.91 At Flat B18 (first floor), the floorplan is the same as B29, impacts would be more significant because it is on a lower floor. Again, the daylight levels would be reduced from very high levels, and as Flat B18 is on the first floor, single aspect, with windows below a projecting balcony, and opposite the undeveloped part of the site, it is particularly susceptible to significant daylight reductions. When considering the overall impacts on that flat, it should be noted that the proposed development would not include any living rooms or balconies opposite Flat B18, thus limiting impacts on privacy, and that Flat B18 is south facing and would still be BRE compliant for sunlight. Given that the impacts are no worse than a “mirror massing” solution, and that any development at the site would have a significant impact on Flat B18, officers do not consider the overall harm to living conditions at Flat B18 to outweigh the benefits of the proposal, and therefore do not recommend refusal of the application on that basis.
- 10.92 To summarise, although the reductions in daylight to Block B, particularly to Flat B18, would be significantly greater than those usually considered acceptable, this is partially because of the unusual existing situation. When considered against the mirror massing model, it has been demonstrated that the setbacks and modelling of the proposed development would result in lesser impacts than if Block B had been mirrored onto the application site. On that basis, the impacts of the development on those units are considered to be commensurate with their urban environment, and to the scale and design of Block B, and on that basis officers consider that refusal of the application is not warranted.
- 10.93 Officers consider that the daylight impacts are commensurate with the scale of the existing buildings, and are not beyond acceptable limits. Although there would be reductions in daylight some of which would be greater than usually considered acceptable, officers consider that harm justified and note that all affected rooms affected by loss of daylight, although in some cases very significantly, those rooms would all still receive BRE compliant levels of south facing sunlight which needs to be factored into the overall standard of amenity available. On balance, these impacts are not considered by officers to be sufficiently harmful to warrant refusing the planning application.

Assessment: Sunlight to existing buildings

- 10.94 The details submitted demonstrate that all of the habitable rooms affected by the proposed development would pass the BRE tests for sunlight. This is a logical conclusion, as all neighbouring windows are either south facing, or do not face towards the site.

- 10.95 As originally submitted, the daylight and sunlight assessment did not include test data for sunlight at 212 Fairbridge Road, because the windows do not face towards the site. The rear elevation windows at 212 Fairbridge Road face south east, and officers requested that a clarified window map and additional test data were submitted to enable full assessment of the impacts on that property (verified by an officer site visit). The appendix to the Sunlight and Daylight assessment shows that whilst there will be some loss of daylight and sunlight to no.212 Fairbridge Road, this would be very minor and would comply with the BRE guidelines. More notably it was observed at the site visit that there would be reductions to the roof terraces at 212 Fairbridge Road; however this property would still have good access to outdoor space with views of the London Skyline, and although there would be some overshadowing to those terraces the impacts would not result in unacceptable living conditions at that property.
- 10.96 The impacts on 25 Jutland Close were also assessed. That property is the nearest to the southwest of the site, across the railway line, and not be affected by loss of sunlight, and BRE compliant for daylight.

Privacy, enclosure and overlooking

- 10.97 Policy DM2.1 identifies a minimum distance of 18 metres between windows other than those facing highways, in order to protect privacy for residential developments and existing residential properties. Standard 28 of the London Plan SPG Housing (2016) requires proposals to demonstrate that habitable rooms would have adequate levels of privacy in relation to neighbouring properties.
- 10.98 The closest residential properties to the rear (south east) of the site are well over 18m away (across the railway line). The other properties potentially affected are those directly opposite on Fairbridge Road in Block A and Block B, 167-191 Fairbridge Road, which directly face the highway and have “public” facing windows, in which case the 18m guidance does not apply. It is however noted that the proposed building has been sensibly designed with living rooms facing the railway, and bedrooms and deck access facing the road, which will minimise overlooking between properties.
- 10.99 The properties at Block A and Block B, 167-191 Fairbridge Road will experience loss of views (in particular on the upper floors which have views across the site of the London skyline), but will still benefit from acceptable outlook over the street. The adjacent property at 212 Fairbridge Road will also experience some enclosure/loss of outlook over the site (to the south west), although the rear windows will still have good outlook towards the railway line.
- 10.100 As originally submitted, there was some potential for overlooking from the rear balconies of the proposed development towards the rear elevation of 212 Fairbridge Road. Whilst this would have mostly affected the outdoor spaces, staircase and bathrooms, there is a study window on the rear elevation of no.212 which would have been affected. There may have been some perception of overlooking to the living spaces. In order to avoid any unacceptable privacy impacts, 1.8m high privacy screens have been proposed (to be secured by condition 15).

Noise and Disturbance

- 10.101 The site is located within an Employment Growth Area, however the adjacent use (vehicle depot) is not a particularly noisy or un-neighbourly use, and within the immediate vicinity the existing lawful use (B2 Vehicle Repairs) is the most noise generating. The other significant noise generators are traffic on Hornsey Road, and the railway line to the rear of the site.
- 10.102 The proposed commercial use at ground floor would be less noise-generating than the currently unrestricted B2 uses on the site. As B2 uses are not generally compatible with residential uses, the proposed units would be limited to B1 (including offices, research, and light industrial) and B8 (storage and distribution) uses.
- 10.103 In order to allow sufficient control of excessive noise arising from any future industrial or noisy businesses uses, and to allow enforcement action against noisy behaviour, condition 12 is recommended setting external noise limits for fixed plant measured at the nearest sensitive receptors (residential windows).
- 10.104 Condition 11 is recommended limiting operating hours for the commercial units to 0800 to 1800 hours Monday to Friday, 0800 to 1300 Saturday, and not at all on a Sunday or public holiday as requested by the Council's pollution and environmental health officer.
- 10.105 The proposed development would not result in excessive noise or substantial changes over and above the existing (lawful) business activity levels, and would not be harmful to neighbour amenity in that respect.
- 10.106 The proposed residential units would be arranged with their balconies and living rooms facing towards the railway line, rather than facing towards neighbouring occupiers, limiting disturbance to neighbours.
- 10.107 Officers consider that subject to the recommended conditions the proposal will allow the business use to operate effectively without unacceptable impacts in terms of noise and activity.

Neighbour amenity summary

- 10.108 Officers consider that although there would be significant loss of daylight in some cases, that is inevitable due to the low rise nature of the application site, within a setting where buildings up to 5 storeys are present. However, the massing and upper storey set-backs go some way to minimising those impacts whilst maximising efficient use of land, and the overall neighbour amenity impacts (considering daylight, sunlight, privacy, noise, outlook etc.) would not give rise to diminished living conditions at the neighbouring properties, and they would still provide their occupants with a good standard of accommodation.
- 10.109 Subject to the conditions set out in this report, the proposed development would not overall result in unacceptable harm to neighbouring residential amenity. The proposal is thus considered acceptable, on balance, in terms of neighbour amenity.

Biodiversity, Landscaping and Trees

- 10.110 London Plan Policy 2.18 states that development proposals should incorporate appropriate elements of green infrastructure that are integrated into the wider network, and Islington Policy DM6.5 states that developments must protect, contribute to and

enhance the landscape, biodiversity value, and growing conditions of the development site and surrounding area.

- 10.111 There are no trees on the site, but there is a small street tree on the adjacent footway and the railway embankment is a Site of Importance for Nature Conservation (SINC).
- 10.112 There is an adjacent street tree, and vegetation on the adjacent railway embankment. The Council's Tree officer has considered the proposal and advised that subject to adequate protection measures, no unacceptable impacts on trees are likely. However as no assessment has been undertaken of the potential for the development to impact on the roots, condition 17 is recommended to secure a tree survey and root protection measures for any surrounding trees which may require protection during the construction programme. An additional street tree is also proposed, however it has not been demonstrated whether this could be accommodated by the footway in the exact location suggested (due to underground services, etc.) The Tree Officer has suggested an upright tree such as the adjacent hornbeam to suit the narrow footway. As the tree would be outside the site boundary, it is recommended that it (or the cost of providing it) is secured through the s.106 agreement and delivered by the Council's highways service.
- 10.113 Subject to tree protection measures which are to be secured by condition 17, there would be no unacceptable impacts relating to trees.
- 10.114 As the site is located within a SINC, an Ecological Appraisal was submitted with the application. The appraisal notes that the SINC will have developed its ecological value at a time when the M.O.T. test centre was operational, with associated disturbance from noise/ lighting etc. The appraisal does not highlight any significant areas of concern, other than that site clearance (the site itself is not within the SINC) should not take place within the bird nesting season (March-September inclusive) unless checked by a qualified ecologist. Recommendations are also made for enhancement of the site with respect to biodiversity.
- 10.115 The appraisal states that the building on site does not have any features of potential to support roosting bats and therefore, emergence surveys are not required. Notwithstanding a bat activity survey was undertaken which raised no issues but recommended the inclusion of at least 3 bat boxes (to be secured along with bird boxes by condition 19).
- 10.116 The Council's nature conservation officer provided comments on the application, raising no objection to the proposed development. Details of external lighting were submitted, including high-level lighting to the roof terraces, and dusk-to-dawn lighting of the external maintenance area. These are considered excessive, and parapet downlighters at roof terrace level would be preferable, with sensor or individual controls to avoid unnecessary illumination all night. Condition 16 is recommended to require the Council's approval of revised details for any external lighting to ensure it has been designed to minimise light spillage or disturbance to the SINC (see also "Security and External Lighting" below).
- 10.117 Policy DM6.5 states that developments should maximise the provision of green roofs and the greening of vertical surfaces as far as reasonably possible, and where this can be achieved in a sustainable manner, without excessive water demand. Developments should use all available roof space for green roofs, subject to other planning

considerations. All roofs should be biodiversity based extensive substrate roofs with a minimum substrate depth of 80-150mm. The proposed development includes a biodiverse roof, which is to be secured by condition 18.

Security and External Lighting

- 10.118 Policy DM2.1 requires developments to be designed to be safe and to demonstrate safety in design; including access, materials and site management. Policy DM2.2 requires developments to deliver safe, legible and logical environments.
- 10.119 The external courtyard area would have good levels of passive surveillance, with residential windows overlooking the street and railway line. The proposal would not result in additional opportunities for crime. A condition (9) is recommended to secure compliance with the Secured by Design standards for the residential units.
- 10.120 Paragraph 125 of the NPPF requires developments to limit the impact of light pollution from artificial light on local amenity, dark landscapes and nature conservation. Paragraph 7.19 (Policy 7.5) of the London Plan 2016 states that the lighting of the public realm also needs careful consideration to ensure places and spaces are appropriately lit, and there is an appropriate balance between issues of safety and security, and reducing light pollution. Poorly designed lighting has the potential to add to the existing light pollution levels in London, to cause harm to neighbour amenity, and to disturb dark corridors for wildlife. No details of external lighting were submitted with the application. A condition (no.16) is recommended requiring details of any external lighting to be approved by the Council, to avoid harm to biodiversity, excessive light pollution and ensure a well-designed and safe environment in accordance with the above policies.

Health and Air quality

- 10.121 Policy 7.14 of the London Plan states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs)). Policy DM6.1 requires developments to provide healthy environments, reduce environmental stresses, facilitate physical activity and promote mental well-being, and states that developments in locations of poor air quality should be designed to mitigate the impact of poor air quality to within acceptable limits.
- 10.122 Islington is an Air Quality Management Area in recognition of borough-wide poor air quality. An air quality assessment was submitted, including an Air Quality Neutral Assessment which concludes that as the pollutant emissions (nitrogen oxides) from the proposed plant would be lower than the GLA's Sustainable Design and Construction SPG benchmarks, no further mitigation is required regarding the ongoing emissions arising from the building's use.
- 10.123 The proposed uses are not considered incompatible with the site's surroundings; however, the proposal would introduce new residents into an Air Quality Management Area and therefore an Air Quality Assessment was submitted with the application.
- 10.124 The Council's pollution officer responded stating that the Air Quality Assessment predicts an exceedance of the allowable NO₂ (Nitrogen Dioxide) level at ground floor but the concentrations decrease at ground floor level. The assessment appears to show

concentrations of 38-37.5 at the site which are within the limits where mitigation such as ventilation, ultra-low Nitrogen Oxide etc, must be considered. The Air Quality Assessment sets out measures to deal with construction impacts, including low Nitrogen Oxide CHP and boilers. The required mitigation is recommended to be secured by condition 30.

- 10.125 Of additional concern cumulatively in London is the impact of the number of concurrent construction projects underway and the resultant harm to air quality. The proposal will result in demolition and excavation works, and there will be construction dust, waste, machinery, material storage and vehicles which all have the potential to negatively impact air quality. The London Plan "Control of Dust and Emissions during Construction and Demolition" SPG requires low emission non-road mobile machinery (NRMM) to comply with low emissions standards and a condition (no.31) is recommended to ensure that the proposal complies with these standards.

Highways and Transportation

Sustainable Transport

- 10.126 Fairbridge Road is part of the local (Islington) road network, accessed via Hornsey Road which is part of the strategic (TFL) road network.
- 10.127 The site is within a Controlled Parking Zone and its Public Transport Accessibility Level (PTAL) is 3 (moderate) (on a scale of 1 to 6, where 1 represents a low level of public transport access and 6 the highest level of access to public transport).
- 10.128 Paragraph 32 of the NPPF is clear that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. In line with Development Management Policies (2013) policy DM8.2, the applicant has submitted a detailed Transport Statement.
- 10.129 A transport statement was submitted with the planning application. The transport statement identifies that very few vehicle movements would be associated with the proposed development (4 per day for the commercial units, and 1 per day for the residential units). Although these are average figures and on some days may be higher, these are unlikely to result in significant intensification, especially when considered against the previous MOT garage which was a traffic generating use. The Council's Highway Officer has not raised any objection to the proposed use of the site, and it is considered that the increased employment floorspace and the proposed residential units would not result in an excessive number of additional vehicle movements.
- 10.130 The proposed development is above the threshold in the Council's Planning Obligations SPD for which a full travel plan is required, and a travel plan is to be secured by the s.106 agreement.

Vehicle Access, Servicing and refuse

- 10.131 Development Management Policy DM8.6 requires major development proposals to include provision for delivery and servicing to be provided on-site, where the commercial floorspace would be over 200sqm. The proposed commercial units would be less than 200sqm and would be serviced on-street.

- 10.132 Fairbridge Road has width restrictions further towards Holloway Road, so vehicles will come from Hornsey Road and along Charles Street, and then turn right back towards Hornsey Road. The current yellow line restrictions mean vehicles can stop anywhere on the road for up to 40 mins, however to avoid obstruction and to ensure that loading is directed to a specific, safe and appropriate location, the applicant proposes a formal loading bay on Fairbridge Road. This is a sensible arrangement and would also discourage vehicles from stopping on both sides of the road to service the existing buildings. In order to create sufficient space on the highway, the existing crossovers outside the site will be removed (although a dropped kerb will need to be retained within 10 of the bin store to enable waste collection).
- 10.133 A Draft Delivery and Servicing Plan was submitted with the application, and includes indicative locations for the loading bay and also 2 blue badge parking spaces.
- 10.134 The highways works are to be secured by planning obligations within the s.106 agreement.
- 10.135 A full Delivery and Servicing Plan (once the occupier is known) is to be secured by condition 26.

Vehicle and Cycle parking

- 10.136 Core Strategy (2013) Policy CS10 and Development Management Policies (2013) Policy DM8.5 seek to achieve car free development.
- 10.137 The proposal would be car-free, and the Council's standard permit-free s.106 obligation would be applied, preventing new residents from obtaining parking permits.
- 10.138 The Council's cycle parking standards are set out at Appendix 6 of the Development Management Policies. The applicant proposes 28 cycle parking spaces plus accessible cycle storage for the residential units, which would comply with the London Plan and Islington cycle standards. Separate cycle storage is proposed for the commercial units. The proposed cycle storage is acceptable and it is recommended to be secured by condition 28.

Refuse and Recycling

- 10.139 The Council's 'Recycling and Refuse Storage Requirements' document sets out guidance for waste storage and collection; specifically, that a suitable ground floor collection area must be indicated on drawings submitted for approval.
- 10.140 There would be a communal bin store for the residential units which complies with the Council's guidance, and separate waste storage for the commercial units. The bin stores would be easily accessible for ground floor collection, and would be within 10m of the pavement. Within the highways works to be secured by the s.106 agreement, a dropped kerb will be secured within 10m of the bin store to enable waste collection.
- 10.141 No objection is raised by the Council's highways officers to the proposed development.

Construction impacts

- 10.142 An outline Construction Management Plan (CMP) was submitted, outlining measures and principles for good management of the construction process, and the Council's highways officers raised no objection. As the CMP was drafted well in advance of construction

works, this outlines headline impacts and intentions for minimisation of impacts, but does not include specific information on vehicle movements, dates of deliveries, timescales, construction compound layouts etc. A condition (no.29) is therefore recommended to secure an expanded CMP detailing specific measures, and expanded to take account of other nearby developments, highway works, and notification of neighbours.

- 10.143 Any requirement for the repair and re-instatement of the footways and highways adjoining the development which arises from construction impacts, should be resourced by the applicant, and secured by a s.106 obligation. At the time of works, the cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways.
- 10.144 Subject to compliance with an expanded construction management plan (and recommended condition 29), the proposal would be capable of avoiding unacceptable impacts to neighbour amenity, the wider environment, or the safe and efficient operation of the highway network.
- 10.145 In the interest of protecting neighbouring residential amenity during the construction phase of the development (having regard to impacts such as noise and dust) the applicant is also required to comply with the Council's code of construction practice. Compliance would need to be secured as part of a section 106 agreement together with a payment of £1,709 towards monitoring. This payment is considered an acceptable level of contribution having regard to the scale of the development, the proximity of other properties, and likely duration of the construction project.

Highways and Transportation Summary

- 10.146 The application sets out adequate provision for servicing, waste storage, blue badge parking, cycling, collections and deliveries, and includes a transport statement which sets out measures to promote sustainable modes of transport (to be expanded on through a Travel Plan). The proposal would be acceptable and would comply with Islington Core Strategy (2011) Policies CS11 and CS13; Islington Development Management Policies DM5.1, DM8.2, DM8.5 and 8.6; and the London Plan SPG Land for Industry and Transport (September 2012).

Sustainability, Energy Efficiency and Renewable Energy

- 10.147 Islington Core Strategy Policy CS10 seeks to minimise Islington's contribution to climate change and ensure that the borough develops in a way which respects environmental limits and improves quality of life. This requires all development to achieve the highest feasible sustainability standard, and a sustainability statement was submitted which follows the structure suggested by the Mayor of London's Supplementary Planning Guidance (SPG) Sustainable Design and Construction, and London Plan Policy 5.3. This sets out how passive design principles have been followed (for example, with regard to orientation of internal layouts), and detail on sustainable construction, transport, and construction waste. Further detail is provided in the Flood Risk Assessment (including SUDS) and Energy Statement (and appendices).

Flooding, Water Consumption, and Sustainable Urban Drainage Systems (SUDS)

- 10.148 Policy DM6.6 expects all major development to include details to demonstrate that SUDs has been incorporated and will be properly maintained.
- 10.149 The sustainability statement calculates internal water usage at less than 95 litres per person per day, which is complies with the policy requirement of less than 105 litres per person per day, to be secured by condition 23.
- 10.150 The existing drainage within the vicinity of the site is to the combined sewer for both surface water and foul water. Given that the whole site is currently hardstanding, and that the whole site will be built over, there are few opportunities for passive SUDS measures. A soakaway has been discounted due to the potential for groundwater contamination, and soil conditions. Permeable paving is proposed to the rear paved maintenance area, and an underground attenuation tank is proposed underneath the building to reduce runoff from the site. There would also be a biodiverse “extensive” roof on the flat roof of the proposed building which will provide an element of rainwater storage and slow drainage into the sewers (to be secured by condition 18). The proposed green roofs, permeable paving and an underground attenuation tank will result in a reduction in runoff rates to the lowest practical minimum rate of 5 litres / second, which is policy compliant. These measures are to be secured by condition 22.

Energy Efficiency, CO2 Emissions, and Renewable Energy

- 10.151 London Plan Policy 5.2B sets out a CO2 reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013. Islington Policy CS10 A and Section 2 of the Environmental Design SPD require that onsite total CO2 reduction targets (both regulated and unregulated) against Building Regulations 2010 are reduced by 40% where connection to a Decentralised Energy Network (DEN) is possible, and 30% where not possible. These targets have been adjusted for Building Regulations 2013 to reductions of 39% where connection to a DEN is possible, and 27% where not possible.
- 10.152 The proposal would achieve a 37.1% reduction in regulated CO2 emissions against Building Regulations 2013, exceeding with the London Plan target of 35%; and a 27% reduction in unregulated and regulated CO2 emissions against Building Regulations 2013 in compliance with the Council’s target of 27% (where no DEN connection is possible). Condition 20 is recommended to ensure compliance with the energy reduction measures set out in the Energy statement.
- 10.153 London Plan Policy 5.6B sets out a hierarchy for energy systems for major development proposals, prioritising connection to existing heating or cooling networks; over a site wide CHP network and communal heating and cooling. Islington Policy DM7.3B states “all major developments within 500 metres of an existing or planned DEN.... are required to submit a feasibility assessment of connection to that network, to determine whether connection is reasonably possible.” The proposal does not intend to provide a CHP and there are no DENs within 500m. However, an obligation is recommended within the s.106 agreement to safeguard future connection.
- 10.154 Policy DM 7.4A states “Major non-residential developments are required to achieve Excellent under the relevant BREEAM or equivalent scheme and make reasonable endeavours to achieve Outstanding”. The council’s Environmental Design Guide states

“Schemes are required to demonstrate that they will achieve the required level of the CSH/BREEAM via a pre-assessment as part of any application and subsequently via certification.” The proposal would comply with the relevant criteria to achieve an “Excellent” rating, and condition 21 is recommended to secure this.

- 10.155 In accordance with the Council’s zero carbon policy, the council’s Environmental Design SPD states that “after minimising CO2 emissions onsite, developments are required to offset all remaining CO2 emissions (Policy CS10) through a financial contribution”. The Environmental Design SPD states “The calculation of the amount of CO2 to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement.”
- 10.156 The proposed works would minimise carbon emissions arising from the building. Following the reductions of CO2 and in accordance with the Council’s carbon-neutral policy, a CO2 offset contribution of £24,824 is required to mitigate the carbon emissions of the development, which is to be secured through the s.106 agreement.
- 10.157 A Draft Green Performance Plan was submitted with the application, which sets out principles. Submission of, and compliance with, a full Green Performance Plan is to be secured by a s.106 obligation to ensure that the development fully complies with the measures set out in the submitted details.

Building Fabric

- 10.158 In accordance with Islington Policies CS10 and DM7.4, details on the materials selection based on lifecycle assessment for all major material components of the design should be provided e.g. brick, structure, steel, cladding, concrete etc. These details were not supplied with the application, so a green procurement plan is recommended to be required by a planning condition (no.6).

Contamination

- 10.159 Paragraphs 120-122 of the NPPF state that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account. London Plan Policy 5.21 states that appropriate measures should be taken to ensure that development on previously contaminated land does not activate or spread contamination. Proposals should include an assessment of existing ground conditions and identify appropriate remedial measures for any contaminated land prior to development commencing.
- 10.160 The existing building is located on land which was historically in industrial, thus potentially contaminating, uses.
- 10.161 A Contaminated Land Study was submitted with the application, following a desktop study and site visit. This recommends firstly that intrusive testing is carried out, prior to remediation works if necessary; and secondly treatment and/or removal of Japanese Knotweed (which is addressed by separate legislation). The Council’s environmental health officer has considered the proposal and in order to avoid exposing future site

occupiers to contamination risks, and to avoid spreading contaminants through groundwater, condition 25 is recommended to require investigation, and remediation and monitoring if required.

Sustainability Summary

- 10.162 The proposal is considered acceptable when considered against the development plan policies relating to sustainable design, subject to the relevant sustainability requirements being secured by planning conditions and s.106 obligations.

Fire Safety and Emergency Access

- 10.163 Part B of the London Plan policy 7.13 states that development proposals should contribute to the minimisation of potential physical risks, including those arising as a result of fire.
- 10.164 The details of the development's Fire Strategy are ultimately controlled through Building Regulations and not dealt with via the planning process. However, planning impacts may arise as a consequence of the fire strategy and it is therefore prudent to consider this at planning application stage.
- 10.165 The application was considered by the London Fire and Emergency Planning Authority, who stated that they are satisfied with the proposal, subject to Building Regulations compliance.
- 10.166 An informative (no.10) reminds the applicant of the need to consider a detailed fire strategy at an early stage, and recommends the incorporation of sprinkler systems.
- 10.167 In line with the London Plan the proposal is not considered to introduce any significant risks or obstacles to Building Regulations compliance (including those which may have consequences relating to planning issues) and the application is considered acceptable in this respect.

Planning Obligations and CIL

- 10.168 If the application is approved and the development is implemented, a liability to pay the Islington Community Infrastructure Levy (CIL) and Mayor of London CIL will arise. CIL is intended to consolidate financial contributions towards the development's local infrastructure impacts, and additional separate contributions should not be sought towards the same infrastructure unless there is an exceptional and demonstrable need as a direct result of the proposed development.
- 10.169 Any further planning obligations which are not covered by the CIL payment should be sought through a legal agreement under s.106 of the Town and Country Planning Act, (1990, amended) and need to comply with the statutory tests set out in the NPPF and CIL Regulations 2010 (amended) to avoid unjustified double counting.
- 10.170 Islington's CIL Regulation 123 infrastructure list specifically excludes measures that are required in order to mitigate the direct impacts of a particular development and if specific off-site measures are required to make the development acceptable these should be secured through a s.106 agreement.

10.171 In order for the development to mitigate its own direct impacts, and to be acceptable in planning terms the following heads of terms are recommended, secured by a s.106 agreement.

- 2 construction training placements (or if it can be demonstrated that this is not possible, a £10,000 contribution towards placements elsewhere).
- Compliance with the Code of Employment and Training
- Employment and Training (operational) Contribution of £2178
- On-site provision of 5 affordable residential units, with an advanced stage financial review (on sale of 75% of market residential units), and the cost of that review to be met by the applicant.
- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of £1,709.
- Carbon Offsetting payment of £24,824
- Permit free residential units
- Accessible Parking contribution of £4,000
- Provision of a street tree
- Marketing wheelchair accessible homes
- Compliance with the Council's Code of Local Procurement
- Safeguarded DEN connection, and a feasibility study into connection to a local energy network on first replacement of the heating and energy plant, if technically and economically feasible.
- Submission of, and compliance with, a Green Performance Plan
- The repair and re-instatement of the footways and highways adjoining the development. Conditions surveys may be required. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways.
- Reinstatement of the existing dropped kerbs, with provision retained for waste collection access.
- Provision of an on-street loading bay
- Approval and compliance with a draft full travel plan to be submitted to the Council for approval prior to occupation; a full travel plan to be submitted to the Council for approval within 6 months of first occupation (including a full travel survey); and a travel plan update to be submitted to the Council for approval three years after first occupation.
- The Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106 agreement.

11. SUMMARY AND CONCLUSION

- 11.1 As set out in the above assessment, the proposal has been assessed against the development plan and the comments made by residents and consultees.
- 11.2 Consequently, it is considered that the proposed development would comply with the relevant national, London Plan, and local planning policies (including the Islington Core Strategy, the Islington Development Management Policies and associated Supplementary Planning Documents).
- 11.3 It is recommended that planning permission is granted subject to conditions, the prior withdrawal of the Network Rail objection, and the s106 legal agreement heads of terms as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission be granted, subject to the prior withdrawal of the objection from Network Rail, and subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service:

- 2 construction training placements (or if it can be demonstrated that this is not possible, a £10,000 contribution towards placements elsewhere).
- Compliance with the Code of Employment and Training
- Employment and Training (operational) Contribution of £2178
- On-site provision of 5 affordable residential units, with an advanced stage financial review (on sale of 75% of market residential units), and the cost of that review to be met by the applicant.
- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of £1,709.
- Carbon Offsetting payment of £24,824
- Permit free residential units
- Accessible Parking contribution of £4,000
- Provision of one street tree
- Marketing wheelchair accessible homes
- Compliance with the Council's Code of Local Procurement
- Safeguarded DEN connection, and a feasibility study into connection to a local energy network on first replacement of the heating and energy plant, if technically and economically feasible.
- Submission of, and compliance with, a Green Performance Plan
- The repair and re-instatement of the footways and highways adjoining the development. Conditions surveys may be required. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways.
- Reinstatement of the existing dropped kerbs, with provision retained for waste collection access.
- Provision of an on-street loading bay
- Approval and compliance with a draft full travel plan to be submitted to the Council for approval prior to occupation; a full travel plan to be submitted to the Council for approval within 6 months of first occupation (including a full travel survey); and a travel plan update to be submitted to the Council for approval three years after first occupation.

- The Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106 agreement.

That, should the Section 106 Deed of Planning Obligation not be completed within 2 weeks from the date of the Planning committee meeting when a resolution to approve the application is reached (or a future date as agreed by officers and the applicant), the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

ALTERNATIVELY should this application be refused (including refusals on the direction of The Secretary of State or The Mayor) and appealed to the Secretary of State, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure the heads of terms as set out in this report to Committee.

RECOMMENDATION B

That the grant of planning permission be subject to **conditions** to secure the following:

1	Commencement (Compliance)
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended.</p>
2	Approved Drawings and Documents (Compliance)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved documents and plans:</p> <p>Approved Drawings:</p> <p>Existing Ground Floor Plan ASK/E_100 Existing Mezzanine / Roof Plans ASK/E_101 Existing Elevations 4717_E Topographical Survey 4717-T Proposed Site Plan PP916/001 Proposed Ground Floor Plan PP916/200_F Proposed First Floor Plan PP916/201_G Proposed Second Floor Plan PP916/202_G Proposed Third Floor Plan PP916/203_H Proposed Fourth Floor Plan PP916/204_G Proposed Roof Plan PP916/205_E Proposed Detail 01 PP916/300 Proposed Front Elevation PP916/206_G Proposed Rear Elevation PP916/207_E Proposed South-West Elevation PP916/208_E Proposed North-East Elevation PP916/209_F Proposed Section A-A PP916/210_D Proposed Section B-B PP916/211_E</p> <p>Approved Documents:</p> <p>Bat Survey Report ref JSL2672_872 (RPS, October 2016) Preliminary Ecological Appraisal ref JSL2672_871 (RPS, September 2016) Transport Statement (Yes Engineering, July 2017) Outline Construction Logistics Plan (Yes Engineering, July 2017) Draft Delivery and Servicing Plan (Yes Engineering, July 2017) Employment Land Report ref 12511 (Dalton Warner Davis, February 2017) Contaminated Land Assessment BC269 L001/JT (The Brownfield Consultancy, 7 June 2017) Islington HIA Screening Flood Risk Assessment ref HLEF51571/001R (RPS, 19th June 2017) Statutory Declaration (05 July 2017) Air Quality Assessment (XCO2, June 2017) Viability Assessment Report (Savills, 07 July 2017)</p>

	<p>Noise and Vibration Assessment Report 14886.NVA.01 (KP Acoustics, 04 October 2016)</p> <p>Lighting Impact Assessment 8902 (XCO2, 16/05/2017)</p> <p>Dynamic Thermal Modelling and Overheating risk Assessment ref 2219 Issue 1 (T16 design, June 2017)</p> <p>Sustainable Design and Construction Statement ref 2219 Issue 3 (T16 design, June 2017)</p> <p>Draft Green Performance Plan ref 2219 Issue 4 (T16 design, October 2017)</p> <p>Energy Statement ref 2219 Issue 5 including appendices (T16 design, October 2017)</p> <p>BREEAM New Construction 2014 Pre Assessment Report ref 2219 Issue 4 (June 2017)</p> <p>Daylight and Sunlight Amenity Within The Site ref 10324 (GIA, 20 June 2017)</p> <p>Daylight and Sunlight ref 10324 (GIA, 13/10/2017)</p> <p>Daylight Sunlight Rebuttal for 212 Fairbridge Road ref AC/10324 (GIA, 01/10/2017)</p> <p>Planning Statement WT/CE/20930 (RPS CGMS, July 2017)</p> <p>Design and Access Statement rev C (Milan Babic Architects, 07.07.2017)</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	SME Workspaces (Compliance)
	<p>CONDITION: The hereby approved business units shall be used within Use Classes B1 or B8, and shall be laid out as shown on the hereby approved plans prior to first use of those units. Those units shall not be amalgamated unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interests of ensuring that the proposed development contributes to a mixed and flexible employment base and specifically supports the ability of small and micro enterprises to find suitable workspace.</p>
4	Removal of PD rights (Compliance)
	<p>CONDITION: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, or the provisions of any Order revoking and re-enacting that Order, no change of use of the approved Use Class B1 and/or Use Class B8 floorspace shall be carried out without the grant of planning permission having first been obtained from the Local Planning Authority.</p> <p>REASON: To safeguard the amenities of the adjoining residential units and the area generally, to ensure a sustainable mix of uses, and to allow the Local Planning Authority to assess the impacts that the loss of office floorspace would have on the provision of employment in the borough.</p>
5	Materials and Details (Approval of Details)
	<p>CONDITION: Details and samples of the proposed facing materials and detailing shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site, unless otherwise approved in writing by the Local Planning Authority.</p> <p>The details and samples should include:</p> <ul style="list-style-type: none"> a) External facing materials, including details of the proposed brick bond, mortar and pointing style b) Details of the junctions and corners of the proposed Glass Reinforced Concrete (GRC) components, including how these will be designed to avoid watermarks or staining to the surfaces below

	<ul style="list-style-type: none"> c) External balustrading d) External joinery e) Soffits, cills and reveals, the undersides of any projecting elements, and junctions of other external materials (and details of how these will be designed to avoid watermarks or staining to the surfaces below) f) Expansion gaps, which shall be designed to minimize their visual impacts g) Roof materials and edge details h) Rainwater goods (including locations, fixings, material and colour) i) Soil, vent and waste pipes which should (except for the termination) be constructed within the building j) Details of any other pipes, equipment or devices to be installed externally external surfaces of the building including meter boxes, service connection access, aerials and satellite dishes k) Details of wayfinding or signage to the proposed commercial units l) Detailed design drawings of the proposed PV panels which should show how their visual impact will be minimised m) Any other materials to be used <p>No additional plumbing, down pipes, rainwater pipes or foul pipes shall be located/fixed to any elevation(s) of the buildings hereby approved.</p> <p>The development shall be carried out strictly in accordance with the details and samples as approved, shall be maintained as such thereafter and no change therefrom shall take place unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
6	Green Procurement Plan (Approval of Details)
	<p>CONDITION: Prior to the commencement of superstructure works, unless otherwise agreed in writing by the Local Planning Authority, a green procurement plan for sourcing the proposed materials shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to minimise the environmental impacts of the development.</p>
7	No Obscuring of Ground floor glazing (Compliance)
	<p>CONDITION: The window glass of all ground floor commercial units shall not be painted, tinted or otherwise obscured and no furniture or fixings which may obscure visibility above a height of 1.4m above finished floor level be placed within 2.0m of the inside of the window glass.</p> <p>REASON: In the interest of securing passive surveillance of the street, an appropriate street frontage appearance and preventing the creation of dead/inactive frontages.</p>
8	Boundary Treatments
	<p>CONDITION: Details and samples of all boundary treatments shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the hereby development.</p>

	<p>The details shall include information on the proposed materials, design, structure and dimensions of all walls, fences, screen walls, barriers, rails, retaining walls and hedges, and details as to how the boundary treatments would satisfy the requirements of Network Rail.</p> <p>The approved boundary treatments shall be installed as approved, prior to occupation of the hereby development unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of securing sustainable development, to ensure that the resulting appearance and construction of the development is of a high standard, and to avoid unacceptable impacts on railway infrastructure.</p>
9	Secured by Design
	<p>CONDITION: Notwithstanding the plans hereby approved the residential units shall not be occupied until secured by design certification has been achieved, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of securing secure and safe development.</p>
10	Inclusive Design (compliance)
	<p>CONDITION: Notwithstanding the plans hereby approved the scheme shall be constructed in accordance with the principles of Inclusive Design.</p> <p>Unless otherwise approved in writing by the Local Planning Authority and prior to the occupation of the residential units, one residential unit shall be constructed to comply with building regulation standard M4 (3) (wheelchair user dwellings), and all other residential units shall be constructed to comply with building regulation standard M4 (2) (accessible and adaptable dwellings)</p> <p>The following facilities shall be installed as shown on the approved plans prior to the occupation of the residential units:</p> <ul style="list-style-type: none"> a) 1 mobility scooter charging point b) 1 lift providing access to all dwellings c) 2 lifts providing access to the M4 (3) (wheelchair user dwelling) (which may include the lift required by part b of this condition) <p>The following facilities shall be installed within the each B1/B8 business unit prior to first occupation of that unit:</p> <ul style="list-style-type: none"> d) At least one wheelchair accessible WC <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
11	Hours of Operation (Compliance)
	<p>CONDITION: The B1/B8 business units at ground floor approved shall not operate outside the following hours, unless otherwise approved in writing by the Local Planning Authority:</p> <p>08:00 – 20:00 (Monday - Saturday)</p>

	<p>Notwithstanding the above hours, there shall be no opening on Sundays or Bank Holidays</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
12	Noise from fixed plant (Compliance)
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest residential window, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: To ensure an adequate level of internal amenity is provided for future residents, and to protect the amenities of the neighbouring occupiers from the proposed mechanical plant.</p>
13	Noise and Vibration
	<p>CONDITION: Notwithstanding the approved details, a full noise and vibration assessment shall be undertaken and submitted to and approved in writing by the Local Planning authority prior to the commencement of the hereby approved development. The submitted details shall include any required mitigation measures, and full particulars and details of a scheme for sound insulation between the proposed business and residential uses, and insulation to any plant areas and lift shafts. The building shall be designed to avoid harm to residential amenity from external noise sources, including from road and rail traffic and from the basement car parking, and from the proposed mechanical plant. Noise levels within habitable rooms shall not exceed the following levels:</p> <ul style="list-style-type: none"> - Bedrooms (23.00-07.00 hrs) 30 dB LAeq, and 45 dB Lmax (fast) - Living Rooms (07.00-23.00 hrs) 35 dB LAeq, - Kitchens, bathrooms, WC compartments and utility rooms (07.00 –23.00 hrs) 45 dB LAeq <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details as approved, shall be implemented prior to the first occupation of the development hereby approved, and shall be maintained thereafter unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: To secure an appropriate internal residential environment.</p>
14	No use of flat roofs
	<p>CONDITION: The flat roof of the development hereby approved shall not be used as amenity spaces and shall not be accessed other than for maintenance.</p> <p>REASON: To ensure that the amenity of residents is not adversely affected</p>
15	Obscured Glazing
	<p>CONDITION: The hereby approved residential units shall not be occupied until the obscure</p>

	<p>glazed privacy screens shown on the approved plans have been installed, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: To safeguard the amenities of the adjoining residential units.</p>
16	<p>External lighting</p> <p>CONDITION: Notwithstanding the approved details, no external lighting shall be installed unless revised full details of external lighting have been submitted to and approved in writing by the Local Planning Authority prior to the installation of any external lighting.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps, floodlights, support structures, and hours of operation. The details submitted shall include details of light spill and demonstrate that the proposed lighting would not result in increased light pollution, harm to biodiversity (including at the adjacent Site of Importance for Nature Conservation), harm to visual amenity, or harm to the safe operation of the highway.</p> <p>The external lighting shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that any general or security lighting is appropriately designed and located, to avoid light pollution or harm to the adjacent Site of Importance for Nature Conservation), visual amenity, and the safe operation of the highway.</p>
17	<p>*Tree protection (Approval of Details)</p> <p>CONDITION: No works or development shall take place until an Arboricultural Impact Assessment (to comply with the recommendations of BS5837:2012), and a scheme of arboricultural protection measures including supervision and monitoring, have been submitted to and approved in writing by the local planning authority.</p> <p>The Arboricultural Impact Assessment shall assess the potential for impacts on the roots of nearby trees, including within the adjacent railway embankment Site of Importance for Nature Conservation (SINC).</p> <p>The scheme of protection and supervision shall be carried out as approved and shall be administered by a qualified Arboriculturist instructed by the applicant.</p> <p>REASON: In the interest of protecting retained and proposed tree health, biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
18	<p>Biodiverse roofs</p> <p>CONDITION: Notwithstanding the hereby approved details, a biodiverse roof shall be installed on all flat roofs prior to first occupation unless a feasibility assessment and alternative biodiverse/green roof plan is submitted to and approved in writing by the Local Planning Authority.</p> <p>The biodiverse roof(s) shall be:</p> <ul style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80-150mm); and b) planted/seeded with an agreed mix of species within the first planting season following

	<p>the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <p>The biodiverse (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiverse roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity</p>
19	Bird Boxes (Prior to Occupation)
	<p>CONDITION: Details of bird nesting and bat boxes shall be submitted to and approved in writing by the Local Planning Authority prior the occupation of the hereby approved development. The number and position of bird boxes needs to be determined on site by a qualified ecologist. The details shall include the exact location, specification and design of the habitats. There shall be at least three bat boxes.</p> <p>The bird and bat boxes shall be provided strictly in accordance with the details so approved, installed prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
20	Energy Efficiency (Compliance)
	<p>CONDITION: The energy efficiency measures as outlined within the approved Sustainable Design and Construction Statement shall be installed and operational prior to the first occupation of the development.</p> <p>Should there be any change to the energy efficiency measures within the approved Energy Strategy, a revised Energy Strategy shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development.</p> <p>The final agreed scheme shall be installed and in operation prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
21	BREEAM (Compliance)
	<p>CONDITION: The development shall achieve a BREEAM rating of no less than 'Excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>

22	SUDS (Compliance)
	<p>CONDITION: The measures set out in the Sustainable Urban Drainage statement shall be carried out prior to the first occupation of the hereby approved development, unless otherwise approved in writing by the Local Planning</p> <p>REASON: In order to secure sustainable urban drainage, reducing the risk of flooding and to mitigate the impacts of the development.</p>
23	Water Consumption (Compliance)
	<p>CONDITION: The development shall be designed to achieve a water use target of no more than 105litres per person per day, including by incorporating water efficient fixtures and fittings.</p> <p>REASON: To ensure the sustainable use of water.</p>
24	Removal of PD rights: Solar (Compliance)
	<p>CONDITION: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended, or the provisions of any Order revoking and re-enacting that Order, no installation of solar equipment shall be carried out without the grant of planning permission having first been obtained from the Local Planning Authority.</p> <p>REASON: To safeguard the amenities of the adjoining residential units and the area generally, and to allow the Local Planning Authority to assess the impacts of additional external works.</p>
25	*Contamination (Approval of Details)
	<p>CONDITION: Prior to the commencement of development (including demolition) the following assessment shall be submitted to and approved in writing by the Local Planning Authority (in response to the NPPF and in accordance with CLR11 and BS10175:2011).</p> <p>a) A land contamination investigation (including intrusive investigation).</p> <p>Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:</p> <p>b) A programme of any necessary remedial land contamination remediation works arising from the land contamination investigation.</p> <p>The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority.</p> <p>c) Following completion of measures identified in the approved remediation scheme a verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in writing of the Local Planning Authority in accordance with part b).</p>

	REASON: To avoid unacceptable risk to health arising from contamination.
26	Deliveries and Servicing
	<p>CONDITION: A Delivery and Servicing plan shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the hereby approved development.</p> <p>The development shall be carried out and maintained in accordance with the approved details, unless otherwise approved in writing.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
27	Waste Management
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on the approved plans shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
28	Cycle Parking Provision (Compliance)
	<p>CONDITION: The cycle storage areas and facilities shown on the hereby approved plans, shall be provided prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
29	*CEMP
	<p>CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.</p> <p>The Method of Demolition and Construction Statement shall include details and arrangements regarding:</p> <ul style="list-style-type: none"> a) The notification of neighbours with regard to specific works; b) Advance notification of any access way, pavement, or road closures; c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period; d) Details regarding the planned demolition and construction vehicle routes and access to the site; e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance; f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;

	<ul style="list-style-type: none"> g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturdays, and none on Sundays or Bank Holidays.) h) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting; i) Details of measures taken to prevent noise disturbance to surrounding residents; j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site; k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception) l) Details as to how safe and convenient vehicle access will be maintained for all existing vehicle traffic using Fairbridge Road, Charles Street and Hornsey Road at all times, including emergency service vehicles; m) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and n) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area. o) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration. <p>The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development on the surrounding roads, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works, and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads.</p> <p>The demolition and development shall thereafter be carried out in accordance with the details and measures approved in the Method of Construction Statement.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.</p>
30	<p>Air Quality (Approval of Details)</p> <p>CONDITION: Notwithstanding the approved details, prior to the commencement of superstructure works on the development hereby permitted, a site report detailing steps to minimise the development's future occupiers' exposure to air pollution shall be submitted to and approved by the Local Planning Authority. The approved scheme is to be implemented and completed prior to occupation of the development and shall be permanently maintained thereafter</p> <p>Regard shall be had to the guidance from the Association of London Government "Air quality assessment for planning applications – Technical Guidance Note" and the GLA's "Air Quality Neutral" policy in the compilation of the report.</p> <p>REASON: To protect the amenities of the future occupants and to avoid harm to health arising from exposure to poor air quality.</p>

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Recommended List of Informatives:

1	S106
	<p>SECTION 106 AGREEMENT</p> <p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended).</p>
2	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	Community Infrastructure Levy (CIL) (Granting Consent)
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-Commencement Conditions:</p> <p>These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
4	Car-Free Development
	<p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision</p>

	will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.
5	Roller Shutters
	The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.
6.	Roof top plant
	The applicant is advised that any additional roof top plant not shown on the approved plans will require a separate planning application.
7	Construction works
	Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email pollution@islington.gov.uk) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
8	Thames Water
	<p>Your attention is drawn to the following informatives and advice included in the comments provided by Thames Water.</p> <p>Waste Comments</p> <p>Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater.</p> <p>Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.</p>

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you email us a scaled ground floor plan of your property showing the proposed work and the complete sewer layout to developer.services@thameswater.co.uk to determine if a building over / near to agreement is required.

No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing www.riskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality

Water Comments

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

9 Highways Requirements

Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to “Precautions to be taken in doing certain works in or near streets or highways”. This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. All agreements relating to the above need to be in place prior to works commencing.

Compliance with section 174 of the Highways Act, 1980 - “Precautions to be taken by persons executing works in streets.” Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing.

Compliance with section 140A of the Highways Act, 1980 – “Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk.

Compliance with sections 59 and 60 of the Highway Act, 1980 – “Recovery by highways authorities etc. of certain expenses incurred in maintaining highways”. Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk.

Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.

Temporary crossover licenses to be acquired from streetworks@islington.gov.uk. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.

Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways Act, 1980.

Before works commence on the public highway planning applicant must provide Islington Council’s Highways Service with six months’ notice to meet the requirements of the Traffic Management Act, 2004.

Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing.

Works to the public highway will not commence until hoarding around the development has been removed. This is in accordance with current Health and Safety initiatives within contractual agreements with Islington Council’s Highways contractors.

Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO’s) to be borne by developer.

All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting. NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the

	<p>developer. Consideration should be taken to protect the existing lighting equipment within and around the development site. Any costs for repairing or replacing damaged equipment as a result of construction works will be the responsibility of the developer, remedial works will be implemented by Islington's public lighting at cost to the developer. Contact streetlights@islington.gov.uk</p> <p>Any damage or blockages to drainage will be repaired at the cost of the developer. Works to be undertaken by Islington Council Highways Service. Section 100, Highways Act 1980.</p> <p>Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980</p> <p>Public highway footway cross falls will not be permitted to drain water onto private land or private drainage.</p>
10	Fire Safety
	<p>It is recommended that you obtain technical advice regarding compliance with the Building Regulations (and/including matters relating to fire safety and evacuation) prior to any further design work commencing and prior to the selection of materials. In particular, you should seek further guidance regarding the design of the external fabric (including windows) to limit the potential for spread of fire to other buildings.</p> <p>It is recommended that a fire strategy is developed at an early stage in consultation with the emergency services and including compliance with part B5 of the Building Regulations. In particular, consideration should be made to installing sprinkler systems to mitigate delays caused by the restricted access to the site for emergency vehicles.</p> <p>Islington's Building Control team has extensive experience in working with clients on a wide range of projects. Should you wish to discuss your project and how Islington Building Control may best advise you regarding compliance with relevant (building control) regulations, please contact Andrew Marx on 020 7527 2045 or by email on andrew.marx@islington.gov.uk.</p>
11	Non-Road Mobile Machinery (NRMM)
	<p>CONDITION: An inventory of all Non-Road Mobile Machinery (NRMM) must be registered on the NRMM register https://nrmm.london/user-nrmm/register prior to the commencement of use of any NRMM at the application site. All NRMM should meet as minimum the Stage IIIA emission criteria of Directive 97/68/EC and its subsequent amendments unless it can be demonstrated that Stage IIIA equipment is not available. All NRMM should be regularly serviced and service logs kept on site for inspection. Records should be kept on site which details proof of emission limits for all equipment.</p> <p>REASON: To comply with the requirements of the NPPF (2012), Policy 7.14 of the London Plan (2016) and to minimise air pollution.</p>
12	Approved Documents

For the avoidance of doubt, the following plans and documents are not included in the approved plans for this decision:

The following documents submitted with the application:

Daylight and Sunlight ref 10324 (GIA, 22 June 2017)

Energy Statement ref 2219 Issue 4 including appendices (T16 design, June 2017)

Draft Green Performance Plan ref 2219 Issue 3 (T16 design, June 2017)

The following drawings submitted with the application:

Proposed Ground Floor Plan PP916/200_E

Proposed First Floor Plan PP916/201_E

Proposed Second Floor Plan PP916/202_E

Proposed Third Floor Plan PP916/203_F

Proposed North-East Elevation PP916/209_E

The following amended drawings submitted in October 2017:

Proposed First Floor Plan PP916/201_F

Proposed Second Floor Plan PP916/202_F

Proposed Third Floor Plan PP916/203_G

Proposed North-East Elevation PP916/209_E

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan policies and guidance notes relevant to the determination of the planning application.

1 National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals. Since March 2014 planning practice guidance for England has been published online.

2 Development Plan

The Development Plan is comprised of the London Plan 2016, Islington's Core Strategy 2011, Islington's Development Management Policies 2013, the Finsbury Local Plan 2013 and Islington's Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2016 Spatial Development Strategy for Greater London

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.9 Inner London

Policy 2.18 Green Infrastructure

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing Housing Supply

Policy 3.4 Optimising Housing Potential

Policy 3.5 Quality and Design of Housing Developments

Policy 3.6 Children and Young People's Play and Informal Recreation Facilities

Policy 3.7 Large Residential Developments

Policy 3.8 Housing Choice

Policy 3.9 Mixed and Balanced Communities

Policy 3.10 Definition of Affordable Housing

Policy 3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes

Policy 3.13 Affordable Housing Thresholds

Policy 3.16 Protection and enhancement of social infrastructure

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development

Policy 4.4 Managing Industrial Land and Premises

Policy 4.10 New and emerging sectors

Policy 4.12 Improving opportunities for all

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising emissions

Policy 5.3 Sustainable design & construction

Policy 5.4 Retrofitting

Policy 5.5 Decentralised energy networks

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.8 Innovative energy technologies

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater infrastructure
Policy 5.15 Water use and supplies
Policy 5.16 Waste net self-sufficiency
Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and demolition waste
Policy 5.19 Hazardous Waste
Policy 5.20 Aggregates
Policy 5.21 Contaminated land

6 London's transport

Policy 6.1 Strategic approach
Policy 6.2 Providing public transport capacity and safeguarding land for transport
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.4 Enhancing connectivity
Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
Policy 6.7 Better streets and surface transport
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.11 Smoothing traffic flow and tackling congestion
Policy 6.13 Parking

B) Islington Core Strategy 2011

Policy CS 8 (Islington's Character)
Policy CS9 (Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS11 (Waste)
Policy CS12 (Housing)
Policy CS13 (Employment Space)

7 London's living places and spaces

Policy 7.1 Lifetime neighbourhoods
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 7.13 Safety, security and resilience to emergency
Policy 7.14 Improving air quality
Policy 7.15 Reducing noise and enhancing soundscapes
Policy 7.19 Biodiversity and access to nature
Policy 7.21 Trees and woodlands

8 Implementation, monitoring and review

Policy 8.1 Implementation
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

C) Development Management Policies June 2013

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage
DM3.1 Mix of housing sizes
DM3.4 Housing Standards
DM3.5 Private outdoor space
DM3.5 Play space

DM3.7 Noise and vibration (residential uses)
DM5.1 New business floorspace
DM5.2 Loss of existing business floorspace
DM5.4 Size and affordability of workspace
DM6.1 Healthy development
DM6.2 New and improved public open space
DM6.5 Landscaping, trees and biodiversity

DM6.6 Flood prevention
DM7.1 Sustainable design and construction
DM7.3 Decentralised energy networks
DM7.4 Sustainable design standards
DM7.5 Heating and cooling
DM8.1 Movement hierarchy
DM8.2 Managing transport impacts
DM8.3 Public transport

DM8.4 Walking and cycling
DM8.5 Vehicle parking
DM8.6 Delivery and servicing for new developments
DM9.1 Infrastructure
DM9.2 Planning obligations
DM9.3 Implementation

3 Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Development Viability (January 2016)
- Environmental Design (October 2012)
- Inclusive Design in Islington (February 2014)
- Islington Urban Design Guide (January 2017)
- Location and concentration of uses (April 2016)
- Planning Obligations (Section 106) (December 2016)
- Preventing Wasted Housing Supply (July 2015)
- Streetbook (October 2012)

London Plan

- Affordable Housing & Viability (August 2017)
- Housing (March 2016)
- Social Infrastructure (May 2015)
- Accessible London: Achieving an Inclusive Environment (October 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Character and Context (June 2014)
- London Planning Statement (May 2014)
- Sustainable Design and Construction (April 2014)
- Use of planning obligations in the funding of Crossrail, and the Mayoral CIL (April 2013)
- Land for Industry and Transport (September 2012)
- Play and Informal Recreation (September 2012)
- All London Green Grid (March 2012)
- Planning for Equality and Diversity in London (October 2007)

APPENDIX 3: DESIGN REVIEW PANEL COMMENTS (14TH MARCH 2017)



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Our ref: DRP/119

Date: 4 April 2017

Dear Will Thompson,

ISLINGTON DESIGN REVIEW PANEL

RE: 202 - 210 Fairbridge Road, N19 3HT (pre-application ref. Q2016/1777/MJR)

Thank you for attending Islington's Design Review Panel meeting on 14 March 2017 for the first review of the above scheme. The proposed scheme under consideration is for the demolition of the existing MOT Garage (Use Class B2) and the erection of a 4-5 storey mixed use building, comprising ground floor commercial units, 15 flats (Use Class C3) and ancillary cycle storage, refuse storage and outdoor amenity spaces (officer's description).

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Dominic Papa (Chair), David Gibson, Sarah Featherstone, Stephen Archer and Martin Pearson on 14 March 2017 including a site visit in the morning and presentation from the design team followed by a questions and answers session and deliberations at the offices of the London Borough of Islington in the afternoon. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the Council.

Panel's observations

Top storey and building height

The Panel were not convinced by the top storey and felt that the set-back storey was apologetic, suggesting that the proposed building was too high. Panel members felt that the building design and proportions would be improved if the ground floor height was increased to allow for a mezzanine level internally and the top storey removed. They felt that the loggia design (reduced in height given that there would no longer be a terrace behind) previously proposed would improve the appearance of the top storey (removing the set-back storey) and provide a better top to the building.

Ground floor

The Panel felt that the ground floor could be improved to better suit the light industrial employment within the area and that providing a 5m high ground floor may assist in doing this so that mezzanine levels could be provided internally and therefore more employment floor space in the Employment Growth Area. This would also potentially allow larger

entrance doors/openable frontages to units if necessary. They also commented that if this higher ground floor was provided, the top storey should be removed.

Panel members advised that the ground floor may work better with the entrances to the commercial units at one end of the elevation, away from the residential entrance, clearly separating the different entrances and uses. This could also help provide more flexible units that are more easily subdivided. Some panel members felt it was disappointing that the bin store was positioned centrally on the front elevation.

The Panel questioned the addition of a new tree in front of one of the commercial units and suggested that this may cause problems if vehicles need access into the unit.

Access decks

Panel members raised some concerns regarding privacy issues with the deck access to the flats and questioned whether the kitchens could front the deck access rather than the bedrooms to provide a more comfortable living environment. The daylight to the proposed flats was also questioned, along with the impact on the daylight if a different window arrangement was proposed to the bedrooms, providing greater privacy.

Summary

The Panel were supportive of the earlier iterations showing the higher ground floor level, with potential for a mezzanine level and also with the loggia design to the top level. They did, however, feel that the building would be improved with the removal of the top storey. Panel members also felt that the alterations to the ground floor level could improve the flexibility of the units in terms of internal layout and additional large openings/glazed areas to the frontage, as found on industrial buildings in the area. The Panel also felt that the separation of the residential entrance and core and the commercial entrances and core could be beneficial and should be explored further. Panel members advised the design team to look into providing further commercial floorspace - perhaps through the mezzanine and possibly an additional storey and reducing the residential units.

Thank you for consulting Islington's Design Review Panel. If there is any point that requires clarification please do not hesitate to contact me and I will be happy to seek further advice from the Panel.

Confidentiality

Please note that since the scheme is at pre-application stage, the advice contained in this letter is provided in confidence. However, should this scheme become the subject of a planning application, the views expressed in this letter may become public and will be taken into account by the Council in the assessment of the proposal and determination of the application.

Yours sincerely,



Luciana Grave

Design Review Panel Coordinator
Design & Conservation Team Manager

Appendix 4: Financial Viability Review (BPS, September 2017)

Appendix 5: Updated Viability Appraisal Summary (BPS, January 2018)